

**JUDICIAL COUNCIL  
MEETING AGENDA**

**May 18, 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. 09:00 a.m. Welcome & Approval of Minutes.....Chief Justice Matthew B. Durrant  
(TAB 1 - Action)
2. 09:05 a.m. Chair’s Report.....Chief Justice Matthew B. Durrant  
(Information)
3. 09:10 a.m. State Court Administrator’s Report.....Ron Gordon  
(Information)
4. 09:20 a.m. Reports: Management Committee.....Chief Justice Matthew B. Durrant  
Budget and Fiscal Management Committee.....Judge Rita Cornish  
Liaison Committee.....Judge Brendan McCullagh  
Policy, Planning, and Technology Committee.....Judge James Gardner  
Bar Commission.....Katie Woods, esq.  
(TAB 2 - Information)
5. 09:30 a.m. Budget and Grants.....Karl Sweeney  
(TAB 3 - Action) Alisha Johnson
6. 09:40 a.m. Board of District Court Judges Report.....Judge Don Torgerson  
(Information) Shane Bahr
7. 09:50 a.m. WINGS Committee Performance Assessment.....Judge Coral Sanchez  
(TAB 4 - Action) Keri Sargent
8. 10:00 a.m. ADR Committee Annual Report.....Judge Adam Mow  
(TAB 5- Information) Nini Rich
- 10:10 a.m. **Break**
9. 10:20 a.m. Certification of Treatment Courts.....Cris Seabury  
(TAB 6 - Action) Katy Erickson
10. 10:30 a.m. JPEC Report.....Mary-Margaret Pingree  
(Information)

11. 10:45 a.m. Annual Reports from the Boards of Judges.....Ron Gordon  
(Discussion)
12. 10:55 a.m. Expedited HR Policy Amendments.....Bart Olsen  
(TAB 7 Action) Jeremy Marsh
13. 11:05 a.m. Rules for Final Approval.....Keisa Williams  
(TAB 8 - Action)
14. 11:15 a.m. Senior Judge Appointment.....Neira Siaperas  
(Action)
15. 11:20 a.m. Old Business / New Business.....All  
(Discussion)
16. 11:30 a.m. Consent Calendar.....Chief Justice Matthew B. Durrant  
(Action)
17. 11:35 a.m. Executive Session.....All
18. 12:05 p.m. Adjourn.....Chief Justice Matthew B. Durrant

### **Consent Calendar**

1. Rules for Public Comment  
(TAB 9)
2. Forms  
(TAB 10)
3. MUJI (Civil) Committee Appointments  
(TAB 11)
4. WINGS Committee Appointments  
(TAB 12)

**Tab 1**

**JUDICIAL COUNCIL MEETING  
Minutes**

**April 27, 2026**

Hybrid Meeting (in person and Webex)

**Matheson Courthouse – Council Room  
450 S State Street, Salt Lake City, UT 841110**

*Honorable David Mortensen Presiding*

**Members:**

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

**AOC Staff:**

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

**Presenters:**

Karl Sweeney  
Alisha Johnson  
Judge Coral Sanchez  
Shonna Thomas  
Jennifer Yim  
Chris Talbot  
Cris Seabury  
Katy Erickson  
Justice Jill Pohlman  
Jonathan Puente  
Mark Paradise

**Excused:**

Chief Justice Matthew  
B. Durrant, Chair

**1. WELCOME AND THE APPROVAL OF MINUTES (Judge David Mortensen):**

Judge David Mortensen welcomed everyone to the meeting and called for any questions or corrections to the March 12, 2026, meeting minutes. None were raised.

**Motion:** Judge Amber Mettler moved to approve the March 12, 2026, minutes. Judge Samuel Chiara seconded the motion, and it passed unanimously.

**2. CHAIR’S REPORT (Judge David Mortensen):**

Judge Mortensen shared that Chief Justice Durrant recently underwent kidney transplant surgery and is doing well.

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

Ron Gordon reported on implementation efforts related to recent legislation, including SB 270 State

Collections and Housing Court Amendments. He stated that the Management Committee has established a steering committee and finalized its membership. The committee will make future recommendations to the Judicial Council. Mr. Gordon also reported that additional implementation work will be needed for HB 540 Judicial Transparency, Information Access, and Transition Amendments. That work includes audio release requirements and redesign efforts related to the Xchange program. Staff leads for those efforts are Brody Arishita and Michael Drechsel.

Mr. Gordon reported that the Judiciary continues to receive increasing numbers of assignments and projects that have increased the workload in some departments. Mr. Gordon will return to the Council with recommendations regarding possible organizational restructuring.

#### 4. COMMITTEE REPORTS:

**Management Committee:** Nothing to report.

**Budget & Fiscal Management Committee:** Nothing to report.

**Liaison Committee:** Nothing to report.

**Policy, Planning, and Technology Committee:** Nothing to report.

**Bar Commission:** Katie Woods reported that Tyler Young was elected as the Utah State Bar President and Tom Bayles as President-Elect. She reported that the Bar is preparing to raise bar dues which have not increased since 2010. She reviewed the upcoming 95th Anniversary of the Utah State Bar, which will be held in conjunction with the 250th anniversary of the Constitution at the Grand America Hotel. She invited and encouraged all judicial officers to attend. Ms. Woods additionally reported efforts to support judicial retention elections through voter education regarding JPEC evaluations.

#### 5. WINGS COMMITTEE REPORT (Judge Coral Sanchez and Shonna Thomas)

Judge Coral Sanchez reported on the 2025 WINGS Committee's efforts to improve guardianship and conservatorship practices statewide. She reported successful collaboration on legislative amendments to Utah Code § 75-5-303, which updated statutory criteria to align with current medical standards and clarified requirements for attorneys and court visitors in guardianship proceedings. The legislation passed during the 2025 Legislative Session and became effective in May 2025.

Judge Sanchez also discussed the Committee's work on the development of training materials and forms related to the new Severe Intellectual Disability guardianship case type. In addition, the Committee revised and created guardianship and conservatorship forms for emergency, temporary, and adult-child case types, and provided statewide judicial education through conference presentations and judicial trainings. The WINGS Committee also completed substantial revisions to the Basic Guidelines to Serve as Guardian and Conservator of an Adult manual, including updates for accessibility and readability using court AI resources.

Judge Sanchez further reported on ongoing initiatives to address systemic challenges and expand public education efforts. The Committee supported funding requests for additional attorneys to assist courts in meeting statutory obligations in guardianship proceedings and continued work toward implementing universal criminal background checks for prospective guardians and conservators.

Upcoming projects include partnerships to develop interactive public education resources regarding alternatives to guardianship, updated volunteer attorney training materials with potential CLE accreditation, new educational resources for minor guardianships, and enhanced judicial training for new judges.

Judge Sanchez also expressed appreciation for Judge Keith Kelly’s leadership and service as WINGS Chair from 2019 through his retirement in 2025 and recognized his contributions to improving guardianship processes and advocacy for vulnerable individuals.

**6. BUDGET AND GRANTS** (Karl Sweeney, Alisha Johnson, Jim Peters, Amy Hernandez, Jordan Murray, Nick Stiles, and Ron Gordon)

Alisha Johnson presented the financial reports.

**FY 2026 Ongoing Turnover Savings as of 04/09/2026 - Period 9**

#		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)	857,633	927,391	927,391	69,759
1	Ongoing Turnover Savings FY 2026 (forecast \$65,000 / month x 3 months, Salary Differential only)	260,000	-	195,000	(65,000)
	<b>TOTAL SALARY RELATED ONGOING SAVINGS</b>	<b>1,256,215</b>	<b>1,065,974</b>	<b>1,260,974</b>	<b>4,759</b>
	Benefit Differential Savings FY 2026 (will be recognized in this row starting in Q4)	-	(31,028)	(31,028)	(31,028)
	<b>TOTAL SAVINGS</b>	<b>1,256,215</b>	<b>1,034,945</b>	<b>1,229,945</b>	<b>(26,270)</b>
2	2026 Annual Authorized Hot Spot Raises	(200,000)	(191,455)	(200,000)	-
	<b>TOTAL USES</b>	<b>(200,000)</b>	<b>(191,455)</b>	<b>(200,000)</b>	<b>-</b>
	<b>Total Actual/Forecasted Unencumbered Turnover Savings for FY 2026</b>	<b>1,056,215</b>	<b>843,491</b>	<b>1,029,945</b>	<b>(26,270)</b>

**FY 2026 One Time Turnover Savings - Period 9 Updated as of Pay Period Ending 03/27/2026 (1,552 out of 2,088 hours)**

#		Funding Type	Actual Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 03/27/2026)	Internal Savings	1,172,634
2	Est. One Time Savings for remaining pay hours (536 @ \$600 / pay hour)	Internal Savings (Est.)	321,600
	<b>Total Potential One Time Savings</b>	<b>3</b>	<b>1,494,234</b>

**FY 2026 Year End Requests and Forecasted Available One-time Funds - Period 9**

Forecasted Available One-time Funds			#	One-time Spending Plan Requests	Adjusted Requests Amount	Judicial Council Approved Amount
	Description	Funding Type				
	Sources of YE 2026 Funds					
*	Turnover Savings as of PPE 03/13/2026	Turnover Savings				
	Turnover savings Estimate for the rest of the year (\$600 x 616 pay hours)	Turnover Savings				
	<b>Total Potential One Time Turnover Savings</b>					
	Less: Judicial Council Delegated to State Court Administrator for Discretionary Use					
(a)	<b>Total Potential One Time Turnover Savings Less Discretionary Use</b>					
	Operational Savings From TCE / AOC Budgets - mid-year forecast	Internal Operating Savings				
	Expected additional operational savings for balance of fiscal year	Internal Operating Savings				
	Operational Savings from IT Budget - Timing of Contract Renewal Deferred to FY 27	Internal Operating Savings				
	Reserve Balance (balance from FY 2025 Carryforward)	Judicial Council Reserve				
	Use IT Budget Savings and Operational Savings to Increase Retro YOS Eligibility	Adjustments to CY Operations				
(b)	<b>Total Operational Savings, Reserve, Unclaimed Property and Prior Year Adjustments</b>					
(c)	<b>Total of Turnover Savings &amp; Operational Savings = (a) + (b)</b>					
	Uses of YE 2026 Funds					
(d)	Carryforward into FY 2027 (Anticipate request to Legislature for \$3,200,000)	FY 2027 Carryforward				
	<b>Total Potential One Time Savings = (c) less Carryforward (d)</b>					
	<b>Less: Judicial Council Requests Previously Approved</b>					
	<b>Less: Judicial Council Current Month Spending Requests</b>					
	<b>Remaining Forecasted Funds Available for FY 2026 YE Spending Requests, CCCF, etc.</b>					
	Updated 04/09/2026					

Last reported expected carryforward: \$2,053,692

## FY 2027 Carryforward and Ongoing Requests - Period 9, FY 2026

	One Time	Ongoing
Ongoing Turnover Savings carried over from FY 2025		\$ 138,582
Forecasted YE Ongoing Turnover Savings from FY 2026		\$ 1,091,363
<b>Subtotal</b>		<b>\$ 1,229,945</b>
Unobligated Fiscal Note Funds - District Court (net)	\$ 94,100	\$ 404,500
Unobligated Fiscal Note Funds - Juvenile Court	\$ (3,600)	\$ 3,600
Unobligated Fiscal Note Funds - Admin	\$ -	\$ 10,900
Legislative ongoing cut - reduce ongoing turnover savings		\$ (185,000)
Wellness Council Portion of Carryforward		
Expected Carryforward Amount from Fiscal Year 2026	\$ 1,932,844	\$ -
Total Available Funding	\$ 2,023,344	\$ 1,463,945
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		\$ (200,000)
<b>Net Ongoing TOS Available for Use</b>	<b>\$ 2,023,344</b>	<b>\$ 1,263,945</b>

### Ongoing / One Time Requests - Directly from Unobligated Fiscal Note Funds

	Presented		Judicial Council Approved	
	One Time	Ongoing	One Time	Ongoing
<b>Subtotal</b>	\$ -	\$ -	\$ -	\$ -

### Ongoing Requests

	Presented		Judicial Council Approved	
	One Time	Ongoing	One Time	Ongoing
<b>Prior Approved Ongoing Commitments</b>				
Investing in Our People - Ron Gordon and Neira Siaperas		\$ 370,000		\$ 370,000
8th District Probation Training Coordinator - Russ Pearson		\$ 52,500		\$ 52,500
Juvenile Court ICJ Funding Increase - Daniel Meza Rincon		\$ 7,000		\$ 7,000
<b>Ongoing Requests - For Consideration</b>				
<b>Subtotal to Approve and Fund Immediately</b>	\$ -	\$ 429,500	\$ -	\$ 429,500
<b>Balance Remaining After Judicial Council Approvals</b>				\$ 834,445
<b>Balance Remaining Inclusive of "Presented"</b>		\$ 834,445		

### Carryforward One Time Requests

	Presented		Judicial Council Approved	
	One Time	Ongoing	One Time	Ongoing
<b>Subtotal</b>	\$ -	\$ -	\$ -	\$ -
<b>Balance Remaining After Judicial Council Approvals</b>			\$ 2,023,344	\$ 834,445
<b>+ Balance Remaining Inclusive of "Presented"</b>	\$ 2,023,344	\$ 834,445		

**LEGEND**

- Highlighted items are currently being presented to the Budget and Fiscal Management Committee.
- Highlighted items have been approved by the BFMC and are on track for being presented to the Judicial Council.
- Highlighted items have been previously approved by the Judicial Council.
- Highlighted items that are Fiscal Note Funds
- \* - items have been presented and approved in prior years.
- + - One-time balance remaining is available to go into Judicial Council reserve. Ongoing balance remaining will be included in the beginning balance for ongoing turnover savings.
- ^ - Request to Legislature was Not Funded
- BFMC approval to submit request to Judicial Council does not imply Judicial Council must approve the recommendation.
- If more funds are available than the total of requests received, prioritization is optional.

## ARPA Expenses as of 04/07/2026 (period 9)

	A	B	C	D	E	F	G	H	I
	Judicial Council Approved	Actual FY 2022 Expended	Actual FY 2023 Expended	Actual FY 2024 Expended	Actual FY 2025 Expended	Actual FY 2026 Expended	Total Expended Amount	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	519,815	12,342,025	31,375	100.00%
Courts Case Backlog - Part I + II	2,302,100	707,963	1,007,135	587,002	-		2,302,100	Completed in FY 2024	
Legal Sandbox Response to COVID	324,500	-	171,636	152,864	-		324,500	Completed in FY 2024	
<b>TOTAL</b>	<b>15,000,000</b>	<b>3,750,431</b>	<b>5,792,027</b>	<b>3,815,722</b>	<b>1,090,631</b>	<b>519,815</b>	<b>14,968,625</b>	<b>31,375</b>	

Expenditures added since last report: 86,478

## **Additional JCTST Funds Request**

Jim Peters requested authorization to expend an additional \$309,000 from the Justice Court Technology Security and Training (JCTST) Fund during the current fiscal year. The request includes programming projects benefiting both justice and district courts, including small claims bulk filing enhancements.

**Motion:** Judge Brendan McCullagh moved to approve the expenditure of an additional one-time amount of \$309,000 from the Justice Court Technology Security and Training Fund as recommended. Judge Rita Cornish seconded the motion, and it passed unanimously.

## **Grants**

- **VAWA Grant Update**

Amy Hernandez presented a progress report regarding the STOP Violence Against Women grant.

- **Appellate Pro Bono Bar Foundation Grant- Renewal**

Nick Stiles requested approval to renew a grant application through the Utah Bar Foundation supporting the Appellate Pro Bono Program. Mr. Stiles reported that grant funds are used primarily to cover appellate transcript costs for volunteer attorneys.

**Motion:** Judge Cornish moved to approve the grant application provided there is no change in scope from the previous year, and to require that all grant-related reporting be made to Mr. Stiles. Judge James Gardner seconded the motion, and it passed unanimously.

## **Commissioner Salary for FY 2027**

Ron Gordon requested a 2.5% salary increase for Court Commissioners, which has been funded by the legislature. This proposal maintains Commissioners' compensation at approximately 90% of trial court judges' salaries.

**Motion:** Judge Mettler moved to approve the increase in salary for Court Commissioners as recommended. Judge Cornish seconded the motion, and it passed unanimously.

## **7. DATA SHARING (Jennifer Yim)**

Jennifer Yim presented a report on behalf of the Board of Pardons and Parole (BOPP). She expressed appreciation for the collaborative partnership with the Judiciary and acknowledged the successful development and implementation of new projects. Ms. Yim also provided an overview of the enhanced BOPP Intake Process, highlighting the efficiencies and positive outcomes achieved through improved data-sharing between the Board and the courts.

## **8. UNIFORM FINE SCHEDULE (Michael Drechsel)**

Michael Drechsel reviewed updates to the Uniform Fine Schedule. He explained that the updates resulted from significant changes made during the 2026 General Legislative Session, as well as routine ongoing maintenance and corrections to existing Uniform Fine Schedule entries.

**Motion:** Judge Michael Leavitt moved to approve and publish the updated Uniform Fine Schedule as recommended. Judge Christine Johnson seconded the motion, and it passed unanimously.

## 9. ART POLICY (Chris Talbot)

Chris Talbot reviewed the draft Courthouse Artwork Display Policy and highlighted changes made since the previous draft, including provisions addressing juvenile court spaces, justice court and leased spaces, and standards for public areas of court buildings. Additional changes included standardizing artwork size limits and establishing processes for when judicial officers change courtrooms. Mr. Talbot stated that the Policy, Planning & Technology Committee reviewed and supported the proposed changes. He emphasized that existing artwork would be grandfathered under the prior policy.

Judge McCullagh recommended edits to the section of the policy that cites the HR policy. Specifically, he recommended removing the quoted policy language and retaining only the policy citation, so that any future changes to the HR policy would not require corresponding amendments to the Courthouse Artwork Display Policy.

Mr. Talbot requested approval of the policy as recommended in the memorandum, with the following exceptions: (1) the addition of language in paragraph 2(a) clarifying that Justice Courtrooms are exempt from the policy, and (2) the addition of language in paragraph 5(b) specifying that artwork will not be provided in leased spaces.

**Motion:** Judge Jon Carpetner moved to approve the art policy with the additional edits as recommended. Judge Cornish seconded the motion, and it passed unanimously.

## 10. CERTIFICATION OF TREATMENT COURTS (Cris Seabury and 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:

- First District, Box Elder County Adult Recovery Court (Judge Brandon Maynard)
- First District, Cache County Adult Recovery Court (Judge Brian Cannell)
- Second District DUI Court (Judge Camille Neider)
- Third District Adult Mental Health Court (Judge Vernice Trease)
- Third District Track B Court (Judge Charles Stormont)

**Motion:** Judge Gardner moved to approve the certification of the presented treatments courts as recommended. Judge Cornish seconded the motion, and it passed unanimously.

## 11. COMMITTEE ON FAIRNESS AND ACCOUNTABILITY REPORT (Justice Jill Pohlman and Jon Puente)

Justice Pohlman presented the Committee on Fairness and Accountability (CFA) Annual Report to the Judicial Council. She highlighted ongoing initiatives focused on equity, inclusion, and public trust within the Judiciary.

Justice Pohlman reported that the Jury Equity Workgroup continued its review of jury-related processes under CJA 4-404 and Utah Code § 78B-1-106, examining jury pools, juror selection and

service, compensation, and peremptory challenges. Additionally, the Racial and Ethnic Disparities (RED) Workgroup advanced efforts to identify potential disparities in criminal proceedings and is finalizing the transfer of data to Georgetown University for analysis. The Racial Equity and Fairness (REF) Workgroup also continued work on the Juvenile Data Project, studying whether similarly situated youth receive comparable outcomes in court proceedings.

Justice Pohlman also summarized outreach and strategic initiatives undertaken throughout the year, including the implementation of Court Connect town halls across Utah, the Judicial Inclusion Mentorship Program, and the All-Rise Utah pipeline. Finally, she discussed the relaunch of the Community Court Program at the Kearns Public Library, providing court services for eviction and debt collection matters directly within the community.

#### 12. **THIRD DISTRICT COMMISSIONER VACANCY** (Mark Paradise)

Mark Paradise presented a request to fill the Third District Court commissioner vacancy created by Todd Olsen's appointment as a Third District Court Judge. Mr. Paradise reviewed the current commissioner caseload and noted the position has been instrumental to the district's operations.

**Motion:** Judge Mettler moved to approve filling the commissioner vacancy in the Third District. Justice Paige Petersen seconded the motion, and it passed unanimously.

#### 13. **CONSENT CALENDAR** (Judge David Mortensen)

**Motion:** Judge Cornish made a motion to approve the items on the consent calendar. Judge McCullagh seconded the motion, and it passed unanimously.

#### 14. **SENIOR JUDGE APPOINTMENT** (Neira Siaperas)

**Motion:** Judge McCullagh made a motion that Judge John Walton meets the qualifications for appointment as an active senior judge. Judge Cornish seconded the motion, and it passed unanimously.

#### 15. **EXECUTIVE SESSION** (Judge David Mortensen)

**Motion:** Judge Cornish made a motion to move into executive session for the purpose of discussing the character, professional competence, or physical or mental health of an individual and to receive legal advice of counsel. Judge McCullagh seconded the motion, and it passed unanimously.

Following the closed session, Judge Mortensen noted that at 11:48 a.m., Justice Petersen recused herself and left the meeting before the second item discussed in the closed session.

**Motion:** Judge McCullagh moved to instruct Ron Gordon to retain independent counsel for the second matter discussed in executive session. Judge Cornish seconded the motion, and it passed unanimously.

#### 16. **ADJOURN**

The meeting was adjourned.

Tab 2

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

Webex video conferencing  
March 6, 2026 – 12 p.m.

**MEMBERS:**

**PRESENT**

**EXCUSED**

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

**GUESTS:**

Chris Talbot  
Michael Drechsel  
Melissa Kennedy  
Keri Sargent  
Shane Bahr  
Michael Samantha Starks

**STAFF:**

Brody Arishita  
Keisa Williams  
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 February 6, 2026 meeting. With no changes, Judge Carpenter moved to approve the minutes as presented. Judge Johnson seconded the motion. The motion passed unanimously.

**(2) 1-205. Standing and ad hoc committees:**

The Council approved membership changes to the Uniform Fine Committee and disbanding the Court Facility Planning Committee as final with a May 1, 2026 effective date. The Standing Committee on Children and Family Law (SCCFL) is seeking to add the Director of the Self-Help Center and Law Library or their designee to be a voting member of the SCCFL.

***Following discussion, Judge Carpenter moved to send rule 1-205 to the Judicial Council with a recommendation that it be posted for a 45-day public comment period. Judge Fonnesbeck seconded the motion. The motion passed unanimously.***

**(3) Artwork policy:**

The artwork policy was presented to the Council in April 2025. The Council directed Mr. Talbot to add exceptions for juvenile court courtrooms and take the policy to PP&T before seeking final approval from the Council. Revisions from previous drafts include increased allowable artwork sizes and an exception for juvenile courts which frequently display children's art or existing murals to be handled on a case-by-case basis. The policy applies to all public spaces including jury deliberation rooms, jury assembly rooms, and any public corridors.

Judge Carpenter raised a question about whether the policy applies to justice courts and shared public lobbies in city or county-owned buildings. Mr. Talbot explained that there are numerous shared facilities across the state that we don't control and any complaints received will be reviewed case by case with the city or county. The committee recommended adding clarifying language to exempt common areas not under state owned control from the policy. Mr. Talbot will draft clarifying language for Ms. Williams' review before sending the policy to the Management Committee.

***With no further discussion, Judge Gardner moved to send the Artwork Policy to the Management Committee for final approval. Judge Fannesbeck seconded the motion. The motion passed unanimously.***

**(4) 3-409. Court facilities planning:**

The proposed amendments 1) remove references to the now disbanded Court Facility Planning Committee, 2) update the responsibilities and reporting duties of the Court Facilities Director and court executives, and 3) modernize verbiage from 1996.

***Judge Fannesbeck moved to send rule 3-409 to the Judicial Council with a recommendation that it be posted for a 45-day public comment period. Judge Johnson seconded the motion. The motion passed unanimously.***

**Technology report/proposals:**

Brody Arishita provided an IT update, noting that the website will implement a system to track historical changes to rules with a tentative go-live date in September.

Mr. Arishita and Mr. Drechsel also briefed the committee on the newly passed House Bill 540 regarding public and party access to audio recordings. Parties will have expedited, free access to their own audio. The bill includes funding for 10-14 new FTEs to manage these requests.

**Old Business/New Business:**

A draft amendment to Rule 4-102 was circulated to the committee shortly before the meeting. The Committee discussed proposed amendments in light of pending legislation, but took no action.

**Adjourn:** With no further items for discussion, the meeting adjourned at 12:33 p.m. The next meeting will be held on April 17, 2026, at 1:30 p.m. via Webex video conferencing.

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

**Minutes**

**April 13, 2026**

**Meeting held virtually through WebEx**

**12:00 p.m. – 12:35 p.m.**

**Members Present:**

Judge Rita Cornish (Chair)  
Judge Michael DiReda  
Judge Susan Eisenman  
Kristin Woods

**Guests:**

Mark Urry, TCE, Fourth District Court  
Kim Zimmerman  
Amy Hernandez  
Zoila Burton  
Bryce Hansen  
Sheri Knighton

**Excused:**

**AOC Staff Present:**

Ron Gordon  
Neira Siaperas  
Nick Stiles  
Brody Arishita  
Todd Eaton  
Shane Bahr  
James Peters  
Bart Olsen  
Erin Rhead  
Tina Sweet  
Daniel Meza-Ricon  
Karl Sweeney  
Jordan Murray  
Alisha Johnson  
Suzette Deans, Recording Secretary

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## Call to Order and Approval of Prior Minutes

The meeting was called to order by Judge Rita M. Cornish. At the outset, it was noted that some members were running late. In light of the length of the agenda, the committee agreed to begin with informational items. A quorum was confirmed shortly thereafter. The committee acknowledged that no meeting was held in March 2026; therefore, no minutes were available for approval. The February 2026 minutes had previously been approved via email, and no further action was required.

**Motion:** No motions were made under this item.

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## Financial Reports – Year-to-Date Financials

Alisha Johnson presented the year-to-date financials.

## Ongoing Turnover Savings

Alisha Johnson presented the ongoing turnover savings report. She reported a carry-forward balance from the prior year of \$138,582 and actual year-to-date savings of \$927,391, with an

additional \$195,000 projected for the remaining 3 months. This resulted in an forecasted total of \$1,229,945 after adjusting for a negative health and dental benefit differential of \$31,028, and after deduction \$200,000 for authorized hotspot raises, the net forecast was \$1,029,945. She noted that the forecast had decreased slightly from the prior month despite higher-than-expected turnover savings, due primarily to the inclusion of benefit differential impacts. She further explained that tracking has been challenging during the transition to a new payroll system due to limited reporting capabilities, though improvements are expected.



### FY 2026 Ongoing Turnover Savings as of 04/09/2026 - Period 9

#	Prior Month Forecast	Actual	Forecasted	Change in Forecast
	Amount @ YE	Amount YTD	Amount @ YE	Amount @ YE
	138,582	138,582	138,582	-
	857,633	927,391	927,391	69,759
1	260,000	-	195,000	(65,000)
	1,256,215	1,065,974	1,260,974	4,759
	-	(31,028)	(31,028)	(31,028)
	1,256,215	1,034,945	1,229,945	(26,270)
2	(200,000)	(191,455)	(200,000)	-
	(200,000)	(191,455)	(200,000)	-
<b>Total Actual/Forecasted Unencumbered Turnover Savings for FY 2026</b>				<b>(26,270)</b>
	1,056,215	843,491	1,029,945	(26,270)

### One-Time Turnover Savings

Ms. Johnson next reviewed one-time turnover savings, reporting year-to-date accumulation of \$1,172,634 and an estimated additional \$321,600, resulting in a projected total of \$1,494,234. She explained that recent fluctuations were largely attributable to legislative session-related incentive payouts, which created timing related variances in the data. Additional uncertainty was noted due to the payroll system transition. It was also noted that there are currently 19 vacant full-time positions, which is lower than our historical norm.



### FY 2026 One Time Turnover Savings - Period 9

Updated as of Pay Period Ending 03/27/2026 (1,552 out of 2,088 hours)

#		Funding Type	Actual Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 03/27/2026)	Internal Savings	1,172,634
2	Est. One Time Savings for remaining pay hours (536 @ \$600 / pay hour)	Internal Savings (Est.)	321,600
<b>Total Potential One Time Savings</b>			<b>3 1,494,234</b>

Prior Report Totals (as of PPE 02/13/2026) 1,765,082  
 FY 2025 Final 3,072,760

### Year End Requests and Forecasted Available One-time Funds

Ms. Johnson presented a projected year-end carryforward of approximately \$1.9 million. She explained that an additional \$100,000 had been incorporated based on historical trends indicating that mid-year operational savings projections tend to be understated.





FY 2027 Carryforward and Ongoing Requests - Period 9, FY 2026

4/9/2026

Funding Sources

	One Time	Ongoing
Ongoing Turnover Savings carried over from FY 2025		\$ 138,582
Forecasted YE Ongoing Turnover Savings from FY 2026		\$ 1,091,363
<b>Subtotal</b>		<b>\$ 1,229,945</b>
Unobligated Fiscal Note Funds - District Court (net)	\$ 94,100	\$ 404,500
Unobligated Fiscal Note Funds - Juvenile Court	\$ (3,600)	\$ 3,600
Unobligated Fiscal Note Funds - Admin	\$ -	\$ 10,900
Legislative ongoing cut - reduce ongoing turnover savings		\$ (185,000)
Wellness Council Portion of Carryforward		
Expected Carryforward Amount from Fiscal Year 2026	\$ 1,932,844	\$ -
<b>Total Available Funding</b>	<b>\$ 2,023,344</b>	<b>\$ 1,463,945</b>
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		\$ (200,000)
<b>Net Ongoing TOS Available for Use</b>	<b>\$ 2,023,344</b>	<b>\$ 1,263,945</b>

Ongoing / One Time Requests - Directly from Unobligated Fiscal Note Funds

	Presented		Judicial Council Approved	
	One Time	Ongoing	One Time	Ongoing
<b>Subtotal</b>	\$ -	\$ -	\$ -	\$ -

Ongoing Requests

	Presented		Judicial Council Approved	
	One Time	Ongoing	One Time	Ongoing
<b>Prior Approved Ongoing Commitments</b>				
Investing in Our People - Ron Gordon and Neira Siaperas		\$ 370,000		\$ 370,000
8th District Probation Training Coordinator - Russ Pearson		\$ 52,500		\$ 52,500
Juvenile Court ICJ Funding Increase - Daniel Meza Rincon		\$ 7,000		\$ 7,000
<b>Ongoing Requests - For Consideration</b>				
<b>Subtotal to Approve and Fund Immediately</b>	\$ -	\$ 429,500	\$ -	\$ 429,500
<b>Balance Remaining After Judicial Council Approvals</b>				\$ 834,445
<b>Balance Remaining Inclusive of "Presented"</b>		\$ 834,445		

Carryforward One Time Requests

	Presented		Judicial Council Approved	
	One Time	Ongoing	One Time	Ongoing
<b>Subtotal</b>	\$ -	\$ -	\$ -	\$ -
<b>Balance Remaining After Judicial Council Approvals</b>			\$ 2,023,344	\$ 834,445
<b>+ Balance Remaining Inclusive of "Presented"</b>	\$ 2,023,344	\$ 834,445		

LEGEND

- Highlighted items are currently being presented to the Budget and Fiscal Management Committee.
- Highlighted items have been approved by the BFMC and are on track for being presented to the Judicial Council.
- Highlighted items have been previously approved by the Judicial Council.
- Highlighted items that are Fiscal Note Funds
- \* - Items have been presented and approved in prior years.
- + - One-time balance remaining is available to go into Judicial Council reserve. Ongoing balance remaining will be included in the beginning balance for ongoing turnover savings.
- ^ - Request to Legislature was Not Funded
- BFMC approval to submit request to Judicial Council does not imply Judicial Council must approve the recommendation.
- If more funds are available than the total of requests received, prioritization is optional.

## ARPA Expenses

Ms. Johnson reported that \$31,375 remains in ARPA funding, with a deadline for completing ARPA expenditures of December 31, 2026.



### ARPA Expenses as of 04/07/2026 (period 9)

	A	B	C	D	E	F	G	H	%
	Judicial Council Approved	Actual FY 2022 Expended	Actual FY 2023 Expended	Actual FY 2024 Expended	Actual FY 2025 Expended	Actual FY 2026 Expended	Total Expended Amount	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	519,815	12,342,025	31,375	100.00%
Courts Case Backlog - Part I + II	2,302,100	707,963	1,007,135	587,002	-	-	2,302,100	Completed in FY 2024	
Legal Sandbox Response to COVID	324,500	-	171,636	152,864	-	-	324,500	Completed in FY 2024	
<b>TOTAL</b>	<b>15,000,000</b>	<b>3,750,431</b>	<b>5,792,027</b>	<b>3,815,722</b>	<b>1,090,631</b>	<b>519,815</b>	<b>14,968,625</b>	<b>31,375</b>	

Expenditures added since last report: 86,478

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.

## JCTST Fund Request

James Peters presented a request for approximately \$310,000 in additional expenditures from the Justice Court Technology, Security, and Training account for FY 2026 over and above what was approved in June 2026. He explained that the request was intended to maximize allowable expenditures before potential legislative reallocation and would primarily fund contracted IT programming services. He further noted that most projects are expected to be completed within the current fiscal year, with any remaining work extending into the next fiscal year.

**Motion:** Judge Rita M. Cornish made a motion to approve the additional funding request and forward it to the Judicial Council for consideration. Motion was seconded by Kristin Woods. Following discussion, no opposition or abstentions were noted, and the motion passed unanimously.

## Grant Updates

### BJA Grant Update

Amy Hernandez provided an informational update regarding the Domestic Violence Program which is funded by the Violence Against Women Act (VAWA) grant. She confirmed compliance with VAWA reporting requirements and noted minor delays in hiring, which had been mitigated through alternative use of funds for training. The committee expressed no concerns and acknowledged that the program remains in compliance.

No motions were made under this item.

### Utah Bar Foundation Grant Renewal

Jordan Murray and Nick Stiles presented a request to renew a \$10,000 grant supporting the appellate pro bono program, specifically for transcript costs. It was confirmed that the renewal would not require matching funds or additional staffing.

**Motion:** Judge Michael D. DiReda made a motion to approve submission of the grant renewal and authorize acceptance of funds upon award, provided there are no material changes. The

motion was seconded by Judge Rita M. Cornish. With no opposition or abstentions, the motion passed unanimously.

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## Commissioner Salary Recommendation

Ron Gordon presented a proposal to increase court commissioner salaries by 2.5 percent, maintaining compensation at approximately 90 percent of district court judge salaries. He noted that the increase is fully funded through legislative appropriation.

**Motion:** Judge Michael D. DiReda made a motion to recommend approval of the salary adjustment to the Judicial Council. The motion was seconded by Kristin Woods. With no opposition or abstentions, the motion passed unanimously.

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## CCCF Fund Update

Karl Sweeney provided an update on the CCCF fund, noting significant financial improvement over the past two years. The outstanding balance of CCCF advances repayable to the Court has been reduced by \$1.9M through repayments to the Judiciary and the remaining amount owed is approximately \$2.2 million, Total unencumbered trust funds (Courts Discretionary Trust Funds or CDTF) have risen from \$100K in February 2024 to approximately \$2.8 million in March 2026. He explained that the net CDTF fund has grown since investment interest on invested trust balances have substantially exceeded CDTF expenses which are primarily credit card fees. The policy recommendation remains to seek legislature funding if the net CDTF fund falls below a balance of \$1.5 million.

No motions were made under this item, and the update will be forwarded to the Judicial Council for informational purposes.

---

## Accounting Manual Revisions

Mr. Sweeney presented proposed revisions to the accounting manual. The revisions formalize CCCF fund practices and remove an outdated restriction on employee incentive awards, which was determined to have no current policy basis.

**Motion:** Judge Rita M. Cornish made a motion to approve the proposed revisions. Motion was seconded by Judge Susan Eisenman. With no opposition or abstentions, the motion passed unanimously.

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## Old Business/New Business

There was no old business presented.

Meeting adjourned at 12:34 p.m.

Next Meeting May 11, 2026

**Tab 3**

**Budget and Grants Agenda  
For May 18, 2026  
Judicial Council Meeting**

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

- FY 2026 Ongoing Turnover Savings – Per 10
- FY 2026 One Time Turnover Savings – Per 10
- FY 2026 JC Year End Spending Plan – Per 10
- Carryforward and Ongong TOS Requests – Per 10

# Item 1



## FY 2026 One Time Turnover Savings - Period 10

**Updated as of Pay Period Ending 04/10/2026 (1,632 out of 2,088 hours)**

			Actual
#		Funding Type	Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 04/10/2026)	Internal Savings	1,216,721
2	Est. One Time Savings for remaining pay hours (456 @ \$600 / pay hour)	Internal Savings (Est.)	273,600
<b>Total Potential One Time Savings</b>		<b>3</b>	<b>1,490,321</b>

<i>Prior Report Totals (as of PPE 03/27/2026)</i>	1,494,234
<i>FY 2025 Final</i>	3,072,760

- Actual per hour turnover savings for the last 4 pay periods (oldest to newest): \$576.67, \$80.00, (\$835.65), and \$516.08. The average per hour turnover savings for FY 2026 YTD: \$745.54. Last report's average was \$755.56.

In addition to vacancies, these variances between the 4 pay periods are related to the temporary effects of:  
 Increase in non-Investing in our People related incentive award issuances in PPE 3/13/26 and 3/27/26 (2rd and 3th periods listed above).  
 Average is between \$5k and \$10k per pay period. Jumped to ~ \$36.8k and ~ \$68.2k in the two listed periods.

***The budget for these incentives is calculated as a straight line distribution whereas timing of payments have varied.***

Increase in Investing in our People related incentive awards in PPE 3/13/26 (3rd period listed above).  
 Prior two IOP award amounts (not including benefits) were \$54,600 and \$48,800. PPE 3/13/26 was \$61,800.

- We have modified our estimated one time turnover savings for remaining pay hours from \$900 to \$600 as of PPE 03/13/2026. This is due to a low number of current vacancies (< 25) & the reduced savings from the expiration of the Social Security cap as of the start of the new calendar year.
- 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 or an estimated \$1,189,900 annual decrease.**



## FY 2026 Year End Requests and Forecasted Available One-time Funds - Period 10

Forecasted Available One-time Funds		
Description	Funding Type	Amount
<b>Sources of YE 2026 Funds</b>		
* Turnover Savings as of PPE 04/10/2026	Turnover Savings	1,216,721
Turnover savings Estimate for the rest of the year (\$600 x 456 pay hours)	Turnover Savings	273,600
<b>Total Potential One Time Turnover Savings</b>		<b>1,490,321</b>
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(250,000)
<b>( a ) Total Potential One Time Turnover Savings Less Discretionary Use</b>		<b>1,240,321</b>
<i>Operational Savings From TCE / AOC Budgets - mid-year forecast</i>	<i>Internal Operating Savings</i>	649,910
<i>Expected additional operational savings for balance of fiscal year</i>	<i>Internal Operating Savings</i>	200,000
<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>( b ) Total Operational Savings, Reserve, Unclaimed Property and Prior Year Adjustments</b>		<b>788,610</b>
<b>( c ) Total of Turnover Savings &amp; Operational Savings = ( a ) + ( b )</b>		<b>2,028,931</b>
<b>Uses of YE 2026 Funds</b>		
<b>( d ) Carryforward into FY 2027 (Anticipate request to Legislature for \$3,200,000)</b>	<i>FY 2027 Carryforward</i>	<b>(2,028,931)</b>
<b>Total Potential One Time Savings = ( c ) less Carryforward ( d )</b>		<b>-</b>
<b>Less: Judicial Council Requests Previously Approved</b>		<b>-</b>
<b>Less: Judicial Council Current Month Spending Requests</b>		<b>-</b>
<b>Remaining Forecasted Funds Available for FY 2026 YE Spending Requests, CCCF, etc.</b>		<b>-</b>

Updated 05/05/2026

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

Last reported expected carryforward: \$1,932,844



## FY 2026 Ongoing Turnover Savings as of 05/05/2026 - Period 10

#		Prior Month	Forecast	Actual	Forecasted	Change in Forecast
		Amount @ YE		Amount YTD	Amount @ YE	Amount @ YE
	Net Carried over Ongoing Savings (finalized from FY 2025)	138,582		138,582	<b>138,582</b>	-
	Ongoing Turnover Savings FY 2026 (actual year-to-date, Salary Differential only)	927,391		987,404	<b>987,404</b>	60,013
1	Ongoing Turnover Savings FY 2026 (forecast \$65,000 / month x 2 months, Salary Differential only)	195,000		-	<b>130,000</b>	(65,000)
	<b>TOTAL SALARY RELATED ONGOING SAVINGS</b>	1,260,974		1,125,987	<b>1,255,987</b>	(4,987)
	Benefit Differential Savings FY 2026 (will be recognized in this row starting in Q4)	(31,028)		(36,150)	<b>(36,150)</b>	(5,121)
	<b>TOTAL SAVINGS</b>	1,229,945		1,089,837	<b>1,219,837</b>	(10,108)
2	2026 Annual Authorized Hot Spot Raises	(200,000)		(199,333)	<b>(200,000)</b>	-
	<b>TOTAL USES</b>	(200,000)		(199,333)	<b>(200,000)</b>	-
<b>Total Actual/Forecasted Unencumbered Turnover Savings for FY 2026</b>		<b>1,029,945</b>		<b>890,504</b>	<b>1,019,837</b>	(10,108)

- \* 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 (\$36,149.62). Prior report benefit differential was (\$31,028.40). FY 2025 full year benefit differential was +\$201,339.
- \* Currently, 22 FTE are vacant. This is up from the last report where 19 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 \$987,404 / 10 months = \$98,740 /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.

**PLEASE NOTE:** With the change in payroll systems, we do not yet have a full dataset for the most recent pay period so adjustments may occur.

**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 2027 Carryforward and Ongoing Requests - Period 10, FY 2026

5/5/2026

### Funding Sources

	One Time	Ongoing
Ongoing Turnover Savings carried over from FY 2025		\$ 138,582
Forecasted YE Ongoing Turnover Savings from FY 2026		\$ 1,081,254
<b>Subtotal</b>		<b>\$ 1,219,836</b>
Unobligated Fiscal Note Funds - District Court (net)	\$ 94,100	\$ 439,900
Unobligated Fiscal Note Funds - Juvenile Court	\$ (3,600)	\$ 3,600
Unobligated Fiscal Note Funds - Admin	\$ -	\$ 10,900
Legislative ongoing cut - reduce ongoing turnover savings		\$ (185,000)
Wellness Council Portion of Carryforward		
Expected Carryforward Amount from Fiscal Year 2026	\$ 2,028,931	\$ -
<b>Total Available Funding</b>	<b>\$ 2,119,431</b>	<b>\$ 1,489,236</b>
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		\$ (200,000)
<b>Net Ongoing TOS Available for Use</b>	<b>\$ 2,119,431</b>	<b>\$ 1,289,236</b>

### Ongoing / One Time Requests - Directly from Unobligated Fiscal Note Funds

		Presented		Judicial Council Approved	
		One Time	Ongoing	One Time	Ongoing
1	Two Additional Juvenile Law Clerk Attorneys - Judge Westmoreland, Daniel Meza Rincón		\$ 278,700		
2	8th District Additional Judicial Assistant FTE - Russell Pearson		\$ 90,600		
*^ 3	Sixth District Clerical Team Manager - Linda Ekker		\$ 112,300		
	<b>Subtotal</b>	<b>\$ -</b>	<b>\$ 481,600</b>	<b>\$ -</b>	<b>\$ -</b>

### Ongoing Requests

		Presented		Judicial Council Approved	
		One Time	Ongoing	One Time	Ongoing
<b>Prior Approved Ongoing Commitments</b>					
	Investing in Our People - Ron Gordon and Neira Siaperas		\$ 370,000		\$ 370,000
	8th District Probation Training Coordinator - Russ Pearson		\$ 52,500		\$ 52,500
	Juvenile Court ICJ Funding Increase - Daniel Meza Rincon		\$ 7,000		\$ 7,000
<b>Ongoing Requests - For Consideration</b>					
1	Education Judicial Assistant Training Support - Lauren Andersen		\$ 34,000		
*^ 2	Court Visitor Specialist and Pilot Program Attorney - Shonna Thomas, Keri Sargent		\$ 238,250		
* 3	Sixth District Clerical Training Coordinator - Linda Ekker		\$ 102,000		
* 4	All Rise Utah Welcome Dinner - Jon Puente		\$ 20,000		
	<b>Subtotal to Approve and Fund Immediately</b>	<b>\$ -</b>	<b>\$ 823,750</b>	<b>\$ -</b>	<b>\$ 429,500</b>
	<b>Balance Remaining After Judicial Council Approvals</b>				<b>\$ 859,736</b>
	<b>Balance Remaining Inclusive of "Presented"</b>		<b>\$ (16,114)</b>		

### Carryforward One Time Requests

		Presented		Judicial Council Approved	
		One Time	Ongoing	One Time	Ongoing
* 1	Public Transit Reimbursement Program - Suzette Deans, Karl Sweeney	\$ 61,200			
* 2	Education Assistance Program - Alisha Johnson	\$ 85,000			
* 3	HR Applicant Tracking System - Bart Olsen, Jeremy Marsh	\$ 23,700			
	<b>Subtotal</b>	<b>\$ 169,900</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
	<b>Balance Remaining After Judicial Council Approvals</b>			<b>\$ 2,119,431</b>	<b>\$ 859,736</b>
+	<b>Balance Remaining Inclusive of "Presented"</b>	<b>\$ 1,949,531</b>	<b>\$ (16,114)</b>		

**LEGEND**

Highlighted items are currently being or have been presented to the Budget and Fiscal Management Committee.

Highlighted items have been approved by the BFMC and are on track for being presented to the Judicial Council.

Highlighted items have been previously approved by the Judicial Council.

Highlighted items that are Fiscal Note Funds

\* - items have been presented and approved in prior years.

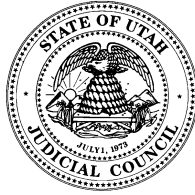
+ - One-time balance remaining is available to go into Judicial Council reserve. Ongoing balance remaining will be included in the beginning balance for ongoing turnover savings.

^ - Request to Legislature was Not Funded

BFMC approval to submit request to Judicial Council does not imply Judicial Council must approve the recommendation.

If more funds are available than the total of requests received, prioritization is optional.

Tab 4



# Administrative Office of the Courts

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

April 2, 2026

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

## MEMORANDUM

**TO:** Management Committee

**FROM:** Judge Coral Sanchez, WINGS Chair  
Shonna Thomas, Court Program Administrator – GRAMP  
Keri Sargent, Deputy District Court Administrator

**RE:** Performance Review - WINGS Committee

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The Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) committee is a problem-solving body that relies on court-community partnerships to:

- Oversee guardianship practice in the Courts;
- Improve the handling of guardianship cases;
- Engage in outreach and public education; and
- Enhance the quality of care and quality of life of vulnerable individuals.

WINGS conducts business in agreement with UCJA Rule 3-421 and has been a standing committee of the Judicial Council since 2022. WINGS currently has 30 stakeholders.

Recent updates to UCJA Rule 1-205(1)(D)(ii) indicate that standing committees are required to conduct a performance assessment at least every three years, and to present the outcome of that assessment to the Management Committee for review.

In accordance with this rule, a survey was sent to all WINGS stakeholders to evaluate the efficiency of the committee's work, identify any redundancies or need for consolidation with other committees, and determine if WINGS continues to serve its stated purpose.

The feedback from the committee questionnaire highlights several key themes:

- The committee continues to serve a critical role in protecting the rights of people with disabilities, by offering legislative recommendations to improve protections for vulnerable individuals and gathering a diverse group of stakeholders to identify gaps and navigate guardianship changes.

- Recent successes include educating judges, making forms more accessible, addressing attorney gaps, working to develop background checks for guardians, and conducting training presentations geared toward alternatives to guardianship.
- Meetings are well attended, subcommittees are formed as needed, and there is strong follow-through between meetings to keep tasks moving forward.
- Although the committee has been productive, some members note that efficiency could be improved with setting timelines and clear goals for projects, encouraging greater membership participation, and increasing WINGS' presence at legislative sessions to connect with change-agents and promote funding measures.
- Some specific suggestions from stakeholders included inviting a representative from the Forms Committee directly to WINGS meetings, rather than maintaining a separate forms workgroup, and increasing professional representation by recruiting social workers, fiduciaries, estate attorneys, and medical support staff like PAs or NPs. Additionally, including family members of those under guardianship may provide crucial "in the trenches" perspectives.
- Despite some overlap, members agree WINGS should remain an independent committee due to its unique stakeholder composition and proven success in consistently meeting its stated objectives.

The results of the survey indicate clear support that this committee continues to be the best method for completing associated work in guardianship and conservatorship matters. Therefore, it is requested that the Management Committee recommend to the Judicial Council that WINGS remain a standing committee until the next performance review.

**WINGS Executive Committee:**

Coral Sanchez	Judge, WINGS Chair	Third District Court
Brant Christiansen	Attorney/Partner	Lewis Hansen Law Firm
Nels Holmgren	Director	Division of Adult and Aging Services
Wendy Naylor	Director	Adult Protective Services
Andrew Riggle	Public Policy Analyst	Disability Law Center
Keri Sargent	Deputy District Court Administrator	Administrative Office of the Courts
Shonna Thomas	Program Administrator - GRAMP	Administrative Office of the Courts
Holly Thorson	Court Visitor Program	Administrative Office of the Courts

**WINGS Steering Committee:**

Shane Bahr	District Court Administrator	Administrative Office of the Courts
Carole Baraldi	Medical Director, Geriatrics	George E. Whalen VA Medical Center
Sarah Box	Attorney	Utah Courts - Self Help Center
Deborah Brown	Retired Professional Guardian	Guardianship & Conservator Services
Natasha Burningham	Education Project Coordinator	Utah Parent Center
Megan Connelly	Access to Justice Director	Utah State Bar

Katie Cox	Attorney	Disability Law Center
Rob Denton	Attorney	Attorney at Law
Rob Ence	Director	Utah Commission on Aging
Wendy Fayles	Criminal Justice / Mentor	National Alliance on Mental Illness
Leslie Francis	Attorney	University of Utah Law School
Ann Humpherys	Lead LTC Ombudsman	Dept. of Health and Human Services
Doug LeDoux	Court Visitor Program	Administrative Office of the Courts
Rachelle Johnson	Probate Clerk	Fourth District Court
Eve Larsen	Case Manager Senior Services	Davis County Health Department
Alan Ormsby	State Director	AARP
Tanya Schmidt	Director	Office of Public Guardian
Bree Spaulding	Staff Attorney	Utah Legal Services
Katie Thomson	Judicial Case Manager	Third District Court
James Toledo	Program Manager	Utah Division of Indian Affairs
Todd Weiler	Utah State Senator	Utah Legislature
Kaye Lynn Wootton	Assistant Attorney General	Medicaid Fraud Control Unit

**Tab 5**



## Utah Court-Annexed Alternative Dispute Resolution (ADR) Program Annual Report FY2025

### History

In 1994, the Utah State Legislature enacted the Utah Alternative Dispute Resolution Act which required the Judicial Council to implement a program utilizing Alternative Dispute Resolution (ADR) in the state courts. The program was implemented by Judicial Council and Supreme Court rules in January 1995.

### ADR Programs

<b>Child Welfare Mediation</b>	<b>Statewide</b> (Juvenile Court cases involving abuse or neglect)
<b>Divorce Mediation</b>	<b>Statewide</b> (Utah Code §81-4-403)
<b>Co-Parenting Mediation</b>	<b>Third District</b> (Utah Code §81-9-102)
<b>General Civil Referrals</b>	<b>Statewide</b> (Mediation or Arbitration) (UCJA 4-510.05)
<b>Restorative Justice</b>	<b>Statewide</b> (Juvenile Victim/Offender & Truancy Mediation)
<b>Probate Mediation</b>	<b>Statewide</b> (UCJA 6-506)
<b>Small Claims Mediation</b>	<b>Various Justice Courts</b>
<b>Judicial Settlement Conf.</b>	<b>As Arranged by District Court Judges</b>

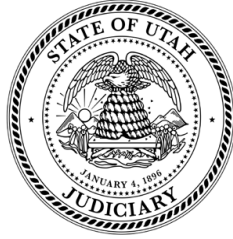
### ADR Programs Structure and Rationale

The Utah Court-annexed ADR Programs are structured in various ways. In general, if a program is mandatory, we have more interest in quality assurance and require more training, oversight, and evaluation.

- For **General Civil and Probate case referrals** we administer a Court Roster of private mediators and arbitrators who have met specific education, experience and ethical requirements as outlined in UCJA 4-510.03 and who requalify annually. Parties select their own mediator in these cases.
- For **Mandatory Divorce Mediation** we administer a Divorce Roster of mediators who have received additional, specialized training and mentoring.
- For **Co-parenting Mediation** referrals, which are required by statute to be mediated within 15 days of filing, we screen cases, contact parties, and assign mediations to a closed roster of private providers with specialized experience and training in domestic cases.
- For **Child Welfare Mediation** cases, which are court-ordered by Juvenile Court judges, and subject to very tight statutory timelines, we provide court staff mediators who are hired and trained specifically for these cases.
- For **Juvenile Court Victim/Offender and Truancy** cases, we provide court staff mediators who are hired and trained specifically for these case types.
- **Small Claims Mediation** programs utilize trained volunteer mediators and are administered through collaborations with universities and nonprofit community mediation organizations.
- **Judicial Settlement Conferences** are arranged on a case by case basis by District Court judges working in teams.

### **ADR Program Statistics and Services –FY2025**

- 1,885 cases were referred to mediation programs that are directly administered by the Court’s ADR Office. In addition, more than 4,287 cases were mediated and 336 arbitrated by court-rostered private providers, selected by parties.
- ADR staff mediators (5.5 FTE) were assigned 1,501 Child Welfare mediations statewide. Of those cases mediated, 88% were resolved. Since 1998, the Child Welfare Mediation Program has conducted over 25,000 mediations for the Utah State Juvenile Courts.
- Two Juvenile Justice Mediators were assigned 58 Victim/Offender mediations and 35 Truancy mediations statewide.
- 105 *pro bono* Divorce and Co-parenting mediations were arranged by ADR staff.
- More than 568 *pro bono* mediations were provided through ADR Program collaborations with nonprofit community mediation organizations and educational institutions.
- The Utah Court ADR Roster lists 172 Providers who reported mediating 4,287 cases and arbitrating 336 cases in FY25. A total of 461 *pro bono* mediations and 2 *pro bono* arbitrations were provided by members of the court roster. The roster is administered through the ADR Office.
- The Judicial Council’s ADR Committee provided Judicial Settlement Conference Training to 32 District Court Judges in 2023 and 2024. There were 542 Judicial Settlement Conferences reported in FY25, an increase of 135% since FY22.
- The ADR Committee provides ethics outreach and education through the Utah Mediation Best Practice Guide. The Committee reviews and updates the Best Practice Guide based on input from outreach efforts, developments in the field of ADR, changes in communications technologies, and the growth of online platforms using Generative AI.
- The ADR Committee is currently working to integrate the training requirements of new legislation on Family Law Arbitration into its ADR roster qualifications.
- The ADR Committee continues its collaboration with the Utah Council on Conflict Resolution (UCCR) to provide more opportunities for newly trained mediators to observe experienced court-rostered mediators.
- ADR Office public outreach and education efforts are ongoing and provided through annual reports, seminar and conference presentations, and the ADR Program website.



## **Utah Judicial Council's Committee on Alternative Dispute Resolution**

ADR Committee Membership as of April 30, 2026

**Judge Adam T. Mow, Chair**, Third District Court

**Judge Ryan M. Harris**, Utah Court of Appeals

**Judge Troy Little**, Fifth District Juvenile Court

**Michele Mattsson**, Chief Appellate Mediator, Utah Court of Appeals

**Professor James Holbrook**, S.J. Quinney College of Law, University of Utah

**Professor LeeAnn Glade**, J. Reuben Clark Law School, Brigham Young University

**Carolynn Clark**, Professional Mediator and Mediation Instructor

**Michelle M. Oldroyd**, Utah State Bar, Director of Professional Education

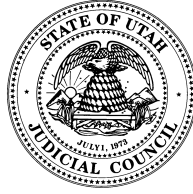
**Stephen D. Kelson**, Attorney/Mediator

**Anne A. Cameron**, Attorney/Mediator

**Karrie Ketchum**, Utah Dispute Resolution, Executive Director

**Nini Rich**, staff, ADR Director, Administrative Office of the Courts

Tab 6



# Administrative Office of the Courts

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

May 4, 2026

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

## MEMORANDUM

**TO:** Management Committee, Judicial Council

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

**RE:** Treatment Court Certification - Recommendations

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### Background

On January 21, 2025, the Statewide Treatment Court Certification Coordinator and Statewide Treatment Court Coordinator presented a memorandum to the Judicial Council outlining the purpose of Family Treatment Courts, key distinctions from Adult Treatment Courts, and the need to revise the Family Treatment Court Certification Checklist.

The revised checklist was approved on November 24, 2025, and piloted in February 2026. Judge Brody Keisel completed the full certification process. Judges Rick Westmoreland and Brent Bartholomew, previously certified, completed the revised checklist only.

### Issue

A statewide gap in weekend drug testing has been identified, affecting Family Treatment Courts and child welfare cases statewide. This reflects a broader system constraint rather than a program-specific deficiency.

### Action Plan

The Statewide Treatment Court Certification Coordinator, Statewide Treatment Court Coordinator, and Statewide Treatment Court Steering Committee will continue collaborating with the Division of Child and Family Services to assess the gap and develop sustainable solutions. In the interim, Family Treatment Courts will continue oversight through clinical and functional assessments, frequent judicial interaction, behavioral indicators, and comprehensive case management, recognizing that drug testing is one of several measures of child safety and participant progress.

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.

**Recommendation**

Based on the revised checklist, team interviews, and court observations, certification is recommended for:

- **Sixth District Family Recovery Court - Judge Brody Keisel**

Based on the revised checklist and prior in-depth certification (2025), certification is also recommended for:

- **Second District Weber County Family Treatment Court - Judge Rick Westmoreland**
- **Fourth District Utah County Family Recovery Court - Judge Brent Bartholomew**

Utah Judicial Council - Family Treatment Court Certification Checklist			
<b>Court Location: Sixth District Family Recovery Court</b>			
<b>Judge: Brody Keisel</b>			
<b>Review Date: February 5, 2026</b>			
<p><i>According to UCJA Rule 4-409 Council Approval of Problem-Solving Courts, each problem-solving court must be considered for certification by the Judicial Council every two years.</i></p> <p><i>This checklist outlines best practices consistent with the Family Treatment Court Best Practice Standards and the updated All Rise Adult Treatment Court Best Practice Standards (Revised July 28, 2025) as approved by the Judicial Council. (Revised and Adopted November 24, 2025)</i></p> <p><i>It is intended to help treatment court programs assess their adherence to nationally recognized standards and guide ongoing efforts for continuous improvement.</i></p> <p><i>Website Link: <a href="https://allrise.org/wp-content/uploads/2022/07/Family-Treatment-Court-Best-Practice-Standards_Final2.pdf">https://allrise.org/wp-content/uploads/2022/07/Family-Treatment-Court-Best-Practice-Standards_Final2.pdf</a></i></p>			
Implementation Status	#	REQUIRED CRITERIA (Do No Harm/Minimum) Adherence to these standards is required for certification.	Reference
Implemented	1	The core team includes the Judge, Family Treatment Court coordinator, child welfare agency/state's attorney, parent's attorney, child's attorney, guardian ad litem and/or CASA, child welfare caseworker, substance use disorder treatment provider, mental health treatment provider, as well as child and adolescent services providers.	Standard 1
Implemented	2	All members of the Family Treatment Court team participate in staffing and attend the court hearing.	Standard 1, 2
Implemented	3	The Family Treatment Court, in consultation with the child welfare system and other stakeholders, maintains a written agreement specifying whether a single Judge will preside over both treatment court reviews and dependency proceedings or if responsibilities are divided. When divided, the agreement clearly outlines what information is shared, the timing of sharing, and the discharge decision process.	Standard 1, 7
Implemented	4	The Judge regularly attends pre-court staff meetings to discuss the progress of the participant and the family and to staff responses to behavior, treatment adjustments, and safety concerns. Information shared is deemed necessary for the operational team to monitor and support children, parents, and families toward stable recovery and reunification, permanency, and completion of the child welfare case plan.	Standard 2
Implemented	5	The Operations Manual (Formerly called the Policy and Procedures Manual) details all aspects of the program's operations, including, but not limited to: 1. Phase advancement requirements 2. Incentives, sanctions, service adjustments 3. Graduation criteria 4. Behaviors that may lead to termination 5. Shared mission and vision, jointly developed by partner organizations 6. Defines the roles, responsibilities, and expectations of all team members, with mutual agreement and commitment to these standards. 7. Objectively defined and specified eligibility and exclusion criteria that is written, distributed to, and understood by all partners. 8. Written policies and procedures that ensure confidentiality and security of participant information, which conform to all applicable state and federal laws, including, but not limited to, Utah's Governmental Records Access and Management Act (GRAMA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and 42 C.F.R. 2 (Confidentiality of Substance Abuse Disorder Patient Records). 9. Written policy on medication-assisted treatment (MAT). Participants are not denied admission, sanctioned, or discharged for the prescribed use of MAT, psychiatric medications, or other medications for diagnosed medical conditions such as pain or insomnia.	Standard 1, 4
Implemented	6	The Family Treatment Court team conducts an annual review and update of the participant handbook and operations manual to ensure they remain accurate and effective.	Standard 1
Implemented	7	Participants are not excluded from Family Treatment Court solely due to lack of stable housing, unless their circumstances prevent safe or effective management in the community.	Standard 1
Implemented	8	A parent attorney reviews the participation agreement with the applicant to advise on the process and implications of participating in the Family Treatment Court.	Standard 4
Implemented	9	During the intake process, the Family Treatment Court provides participants with a handbook outlining program expectations and reviews its contents.	Standard 1
Implemented	10	The Family Treatment Court uses validated assessment tools to identify participant and family needs and make timely referrals to appropriate services. Referrals connect children, parents, and families to evidence-based treatment that is trauma-informed, culturally responsive, and family-centered, with ongoing assessments addressing barriers to recovery and supporting reunification. These services also promote understanding of substance use disorders and support the development of a stable, recovery-focused lifestyle.	Standard 1, 3, 4, 5, and 6
Implemented	11	The Family Treatment Court treatment providers are licensed, certified, or accredited in accordance with Utah state standards and the requirements of the Department of Human Services or other relevant entities, and have a foundational understanding of the child welfare system, including tribal, state, and federal mandates such as Adoption and Safe Families Act (ASFA), Child Abuse Prevention and Treatment Act (CAPTA), and Indian Child Welfare Act (ICWA).	Standard 1, 5
Implemented	12	The Family Treatment Court meets the child welfare and dependency court mandates to ensure children's safety, well-being, and permanency through whole-family treatment. It assesses safety, risk, need, and protective factors for children, parents, and families throughout the case, not just the parent with the substance use disorder.	Standard 4
Implemented	13	Participants appear before the same Judge throughout their participation in the Family Treatment Court.	Standard 1
Implemented	14	Participants appear no less frequently than twice a month during the first phase of the program. Status hearings are scheduled no less frequently than monthly. In rural areas, allowances may be made for alternative appearances or administrative reviews when the Judge is unavailable.	Standard 1
Implemented	15	The Judge allows participants the opportunity to explain their perspectives regarding the imposition of incentives, sanctions, and service adjustments. The Judge permits the participant's attorney or legal representative to assist in providing such explanations.	Standard 1, 7
Implemented	16	The Judge makes final decisions regarding incentives, sanctions, and service adjustments after considering input from the team. Responses to non-compliant behavior are based upon proximal and distal goals, and the Judge is mindful of the family dynamic when imposing sanctions.	Standard 2
Implemented	17	The Judge and team members engage respectfully with participants and use non-stigmatizing language.	Standard 1, 7
Implemented	18	The Family Treatment Court ensures that parents and children receive frequent, in-person, high-quality parenting and family time at the recommended frequency and duration, and does not use parenting or family time as an incentive or sanction.	Standard 6
Implemented	19	The Family Treatment Court does not apply a rigid set of sanctions for specific types of non-compliance. Responses to non-compliance are trauma-informed, tailored to the individual's unique circumstances and clinical needs, and aligned with evidence-based practices that promote sustained behavior change and recovery.	Standard 3, 7
Implemented	20	Treatment adjustments are based on assessed needs and never used as an incentive or a sanction.	Standard 7
Implemented	21	Jail sanctions are rarely imposed, used only when a participant poses an immediate risk to public safety or when less severe sanctions have failed to address ongoing non-compliance, and never as a substitute for a treatment bed or detoxification service. If the Family Treatment Court imposes a jail sanction, it must strictly adhere to all due process requirements.	Standard 7
Implemented	22	Participants who comply with their treatment and child welfare case plan are not discharged unsuccessfully for continued substance use. If adequate treatment is unavailable despite the team's efforts to secure appropriate services, a neutral discharge is issued. Behaviors contributing to a successful, neutral, or unsuccessful discharge may inform but do not determine the final custody decision.	Standard 7

Implemented	23	Following a discharge, successful, neutral, or unsuccessful, the team ensures participants are connected to appropriate treatment and support resources.  Terminology for Team: <b>Successful discharge</b> occurs when a participant achieves key goals, strengthens family and community ties, and reunification happens when appropriate. <b>Neutral discharge</b> is issued when participation is impossible due to circumstances beyond the participant's control, such as loss of court jurisdiction, health issues, or unavailable treatment or interventions necessary for recovery. <b>Unsuccessful discharge</b> happens when a participant repeatedly fails to meet program expectations or engages in behavior that conflicts with the court's mission despite support and interventions.	Standard 7
Implemented	24	The Family Treatment Court creates a coordinated case plan, supporting the child welfare and treatment plans, with active participation from parents, children (when appropriate), and family members, reflecting family needs and strengths while prioritizing child safety.	Standard 6
Implemented	25	The Family Treatment Court utilizes evidence-based or evidence-informed interventions to address the parent's substance use, mental health, and trauma-related needs, and engages parents in a corresponding evidence-based or evidence-informed parenting curriculum. Children receive evidence-based or evidence-informed treatment and developmental/educational interventions that reflect their assessed level of care and other clinical needs.	Standard 1, 5, and 6
Implemented	26	Parents receive support as they work to develop a sustainable, recovery-oriented lifestyle (e.g., self-help groups, various forms of meditation, etc.).	Standard 6
Implemented	27	Participants diagnosed with mental illness receive appropriate mental health services, which continue as needed throughout their participation in the program	Standard 1, 5, and 6
Implemented	28	Participants are not required to participate in job seeking or vocational skills development in the early phases of the program.	Standard 1
Implemented	29	Participation in the Family Treatment Court is intended only when a parent can reasonably benefit from the program, and is not offered as a last-resort option when termination of parental rights is imminent.	Standard 4, 5, and 7
Implemented	30	The Family Treatment Court structures its phases and services to align with child welfare timelines and the Adoption and Safe Families Act (ASFA), with phase advancement based on observable behaviors and achievement of goals that support progress toward longer-term objectives. Advancement is not determined by treatment level, engagement type, program duration, child placement, or parenting arrangements, and participants are not demoted or required to restart a phase for non-compliance.	Standard 7
Implemented	31	The final phase of Family Treatment Court focuses on relapse prevention, continuing care, pro-social activities, and sustained connection to peer support networks, while helping participants plan for successful child welfare case closure and pursue educational and vocational goals to promote long-term recovery, healthy parent-child relationships, and future opportunities.	Standard 3, 5, and 6
Implemented	32	The Family Treatment Court prepares a report of each participant's and child's progress and needs, which is shared with the team prior to staffing. These reports are objective and focus on the participant's compliance with program expectations and progress toward achieving identified goals.	Standard 1
Implemented	33	All Family Treatment Court partners actively engage in fidelity monitoring of evidence-based practices.	
Implemented	34	Pre-court staff meetings are presumptively closed to participants and the public unless the court has a compelling reason for a participant to attend discussions related to that participant's case.	Standard 1
Implemented	35	Participants provide voluntary and informed consent permitting team members to share specified data elements relating to participants' progress in treatment and compliance with program requirements.	Standard 5, 8
Implemented	36	Program and/or treatment fees are disclosed to participants, set at reasonable rates according to their ability to pay, and reflect the actual costs of testing or other services. Treatment fees follow a sliding scale and are clearly communicated to each participant.	Standard 1, 2
Implemented	37	The parent and children receive case management support to access safe and affordable housing.	Standard 6
Implemented	38	The Family Treatment Court actively partners with pregnant and community agencies to ensure the parents and infants receive all indicated medical care, including the development and support of Plans of Safe Care (POSC) when applicable.	Standard 6
Implemented	39	Drug and alcohol testing employs scientifically valid protocols and ensures reliable procedures, including: 1. Documented chain of custody for each specimen 2. Random collection at least twice a week, including weekends and holidays 4. Witnessed specimen collection is routinely examined for dilution or adulteration 5. Participants receive a written explanation of their rights and responsibilities of drug/alcohol testing.	Standard 5

Implementation Status	#	PRESUMED CRITERIA Adherence to these standards is required for certification.	Reference
Implemented	1	The Family Treatment Court team meets regularly, quarterly, biannually, or annually, to address program needs, review data, monitor adherence to best practice standards, and discuss current policies, procedures, and the delivery of incentives and sanctions to ensure they are applied fairly and consistently. These meetings also include developing action plans to address challenges and expand opportunities.	Standard 1, 3
Implemented	2	The Family Treatment Court team members participate in biannual training to deepen their understanding of substance use disorders, mental health conditions, trauma, and stigma, as well as complementary treatment and social services, behavior modification, community supervision, drug and alcohol testing, team decision-making, and constitutional and legal considerations specific to Family Treatment Courts. Trainings also address recognizing implicit cultural biases and correcting disparate impacts for historically disadvantaged groups.	Standard 1, 2, 3, 4, 5, and 6
Implemented	3	The Judge presides over the Family Treatment Court for no less than two consecutive years.	Standard 2
Implemented	4	All team members use electronic communication to discuss Family Treatment Court issues in real-time	Standard 1
Implemented	5	As part of the onboarding process, all new team members review the Operations Manual, Participant Handbook, Participant Agreement, Certification Checklist, and other key documents outlining the structure and expectations of the Family Treatment Court.	Standard 1
Implemented	6	A skilled and independent evaluator examines the Family Treatment Court's adherence to best practices and participant outcomes no less frequently than every five years.	Standard 8
Implemented	7	The program ensures that eligibility requirements, exclusion criteria, and referral decisions are clearly communicated to all potential referral sources, and when a referral is denied, the reason for the denial is provided.	Standard 1
Implemented	8	The Family Treatment Court examines program referrals and admissions in relation to the total dependency court filings that meet the programs admission criteria.	Standard 8
Implemented	9	The Family Treatment Court builds relationships through cross-training on tribal, state, and federal mandates such as Adoption and Safe Families Act (ASFA), Child Abuse Prevention and Treatment Act (CAPTA), and Indian Child Welfare Act (ICWA) and/or other relevant child welfare legal standards to help bridge differences in perspectives and approaches.	Standard 1
Implemented	10	The Family Treatment Court seeks participant feedback on policies and practices through procedures such as exit interviews, participant surveys, and focus groups.	Standard 3
Implemented	11	Team members record information concerning the provision of services and in-program outcomes within forty-eight hours of the respective events.	Standard 8
Implemented	12	The Family Treatment Court maintains data in an electronic database.	Standard 8
Implemented	13	Eligible parents are referred to the Family Treatment Court at the dispositional hearing, or within 30 days of the dispositional hearing.	Standard 4
Implemented	14	The Family Treatment Court tracks the time between the case opening and treatment entry to monitor timely access.	Standard 5, 8

Implemented	15	The treatment provider conducts reassessments as needed and may adjust the level of care or change providers based on the participant's clinical response. Treatment decisions follow standardized patient placement criteria to ensure consistency and appropriateness, rather than being determined by the program's phase structure.	Standard 5, 6, and 7
Implemented	16	Participants are screened for their suitability for group interventions, and group membership is guided by evidence-based selection criteria including participants' gender, trauma histories and co-occurring psychiatric symptoms.	
Implemented	17	The Judge meets with each participant for an average of at least three minutes to build rapport, review treatment progress and compliance, discuss other services essential to recovery and family reunification, and identify needs for additional support.	Standard 2
Implemented	18	Parents, children, and other family members receive counseling, treatment, and reunification services designed to enhance understanding of substance use disorders, strengthen family bonds, and support the development of a stable, recovery-focused, and healthy parent-child relationship.	Standard 1, 5, and 6
Implemented	19	The Family Treatment Court evaluates available resources and program capacity to determine the appropriate number of participants it can effectively serve	
Implemented	20	Treatment providers implement structured behavioral and cognitive-behavioral interventions with demonstrated efficacy in improving outcomes for individuals with substance use disorders. Providers maintain proficiency through regular supervision, ensuring continuous fidelity to evidence-based practices.	Standard 6
Implemented	21	The Family Treatment Court connects participants with certified peer support specialists.	Standard 6
Implemented	22	The Family Treatment Court connects participants with recovery groups aligned to their needs, supporting individual goals and creating a community-based recovery network.	Standard 6
Implemented	23	Participants receive a brief, evidence-based educational intervention that provides practical strategies and actionable steps to prevent and reverse opioid overdoses.	
Implemented	24	Additional team members may include one or more of the following providers: a public health nurse, pharmacist, early childhood education professional, school social worker, housing provider, or child and adolescent services provider.	Standard 1
Implemented	25	Medication-assisted treatment (MAT) is determined by qualified health professionals, is voluntary, and requires informed consent. Participants who choose MAT must adhere to prescribed protocols. MAT is provided alongside psychosocial supports (e.g., counseling, case management), with the Family Treatment Court ensuring coordinated, comprehensive care.	Standard 5
Partially Implemented	26	Drug test results are available within 48 hours.	Standard 5
Implemented	27	Participants are required to deliver a test specimen within 8 hours of being notified that a drug or alcohol test has been scheduled. <b>Note:</b> This is not referenced in the Family Treatment Court Best Practice Standards, but it is an Adult Treatment Court BPS. See page 97 of the Family Treatment Court Best Practice Standards, <i>"There is currently insufficient research within child welfare populations to make a clear recommendation for drug testing protocols outside those established within the Adult Drug Court Best Practices."</i>	Adult BPS Page 92-109
Implemented	28	Randomly selected specimens are periodically screened for an expanded range of substances to identify emerging substance use trends within the Family Treatment Court population. <b>Note:</b> This is not referenced in the Family Treatment Court Best Practice Standards, but it is an Adult Treatment Court BPS. See page 97 of the Family Treatment Court Best Practice Standards, <i>"There is currently insufficient research within child welfare populations to make a clear recommendation for drug testing protocols outside those established within the Adult Drug Court Best Practices."</i>	Adult BPS Page 92-109
Implemented	29	If a participant denies substance use following a positive screening test, the presumptive result is confirmed using instrumented analysis, such as gas chromatography–mass spectrometry (GC/MS) or liquid chromatography–mass spectrometry (LC/MS-MS), on a portion of the same specimen.	Standard 5
Implemented	30	The Family Treatment Court annually reviews critical program data related to all 5 Rs, program referral, admission, denial, and outcome (successful, unsuccessful, or neutral discharge) through an equity lens (e.g., performance measures are disaggregated by race, ethnicity, gender identity, sexual orientation, physical or mental disability, religion, language preference, citizenship status, and socioeconomic status) to ensure equitable access and outcomes. <b>Recovery</b> (i.e., access to SUD treatment, length of stay, and decreased substance use) and actively seeks to improve related outcomes. <b>Children remaining</b> at home and actively seeks to increase this rate. <b>Reunification</b> and actively seeks to improve the rate. <b>Child repeat</b> maltreatment and actively seeks to reduce the rate. <b>Child reentry</b> into care and actively seeks to reduce the rate.	Standard 8
Implemented	31	As needed, participants are supported in securing safe, stable, and sober housing, beginning in the first phase of Family Treatment Court and continuing throughout their program enrollment.	

Implementation Status	#	NON-CERTIFICATION CRITERIA These standards are grounded in research demonstrating improved outcomes. Compliance is encouraged, but not meeting them will not result in decertification.	Reference
Implemented	1	The Family Treatment Court provides a continuum of substance use treatment services (e.g., detoxification, residential, sober living, day treatment, intensive outpatient, outpatient). Where family-centered resources are limited, the team prioritizes family-centered assessment and case planning to address needs.	Standard 5
Implemented	2	Clinician caseloads should be maintained at a manageable level to ensure timely and comprehensive assessment of participant needs, and to support the delivery of appropriate, effective substance use treatment and indicated ancillary services	Standard 5
Implemented	3	Treatment groups typically consist of no more than twelve participants and are led by a minimum of two facilitators or group leaders.	
Implemented	4	For at least the first ninety days after discharge from the program (successful, neutral, unsuccessful) the treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.	Standard 7, 8
Implemented	6	Information on services provided and participants' in-program performance is recorded in an electronic database. Statistical summaries from the database give staff real-time insight into the Family Treatment Court's adherence to best practices and participant outcomes.	Standard 8

<b>Utah Judicial Council - Family Treatment Court Certification Checklist</b>			
		<b>Court Location: Fourth District - Utah County Family Treatment Court</b>	
		<b>Judge: Judge Brent Bartholomew</b>	
		<b>Review Date: Checklist Only (Certified in 2025)</b>	
		<p><i>According to UCJA <a href="#">Rule 4-409 Council Approval of Problem-Solving Courts</a>, each problem-solving court must be considered for certification by the Judicial Council every two years.</i></p> <p><i>This checklist outlines best practices consistent with the <a href="#">Family Treatment Court Best Practice Standards and the updated All Rise Adult Treatment Court Best Practice Standards (Revised July 28, 2025)</a> as approved by the Judicial Council. (Revised and Adopted November 24, 2025)</i></p> <p><i>It is intended to help treatment court programs assess their adherence to nationally recognized standards and guide ongoing efforts for continuous improvement.</i></p> <p><i>Website Link: <a href="https://allrise.org/wp-content/uploads/2022/07/Family-Treatment-Court-Best-Practice-Standards_Final2.pdf">https://allrise.org/wp-content/uploads/2022/07/Family-Treatment-Court-Best-Practice-Standards_Final2.pdf</a></i></p>	
<b>Implementation Status</b>	<b>#</b>	<b>REQUIRED CRITERIA (Do No Harm/Minimum)</b> Adherence to these standards is required for certification.	<b>Reference</b>
Implemented	1	The core team includes the Judge, Family Treatment Court coordinator, child welfare agency/state's attorney, parent's attorney, child's attorney, guardian ad litem and/or CASA, child welfare caseworker, substance use disorder treatment provider, mental health treatment provider, as well as child and adolescent services providers.	Standard 1
Implemented	2	All members of the Family Treatment Court team participate in staffing and attend the court hearing.	Standard 1, 2
Implemented	3	The Family Treatment Court, in consultation with the child welfare system and other stakeholders, maintains a written agreement specifying whether a single Judge will preside over both treatment court reviews and dependency proceedings or if responsibilities are divided. When divided, the agreement clearly outlines what information is shared, the timing of sharing, and the discharge decision process.	Standard 1, 7
Implemented	4	The Judge regularly attends pre-court staff meetings to discuss the progress of the participant and the family and to staff responses to behavior, treatment adjustments, and safety concerns. Information shared is deemed necessary for the operational team to monitor and support children, parents, and families toward stable recovery and reunification, permanency, and completion of the child welfare case plan.	Standard 2
Implemented	5	The Operations Manual (Formerly called the Policy and Procedures Manual) details all aspects of the program's operations, including, but not limited to: 1. Phase advancement requirements 2. Incentives, sanctions, service adjustments 3. Graduation criteria 4. Behaviors that may lead to termination 5. Shared mission and vision, jointly developed by partner organizations 6. Defines the roles, responsibilities, and expectations of all team members, with mutual agreement and commitment to these standards. 7. Objectively defined and specified eligibility and exclusion criteria that is written, distributed to, and understood by all partners. 8. Written policies and procedures that ensure confidentiality and security of participant information, which conform to all applicable state and federal laws, including, but not limited to, Utah's Governmental Records Access and Management Act (GRAMA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and 42 C.F.R. 2 (Confidentiality of Substance Abuse Disorder Patient Records). 9. Written policy on medication-assisted treatment (MAT). Participants are not denied admission, sanctioned, or discharged for the prescribed use of MAT, psychiatric medications, or other medications for diagnosed medical conditions such as pain or insomnia.	Standard 1, 4
Implemented	6	The Family Treatment Court team conducts an annual review and update of the participant handbook and operations manual to ensure they remain accurate and effective.	Standard 1
Implemented	7	Participants are not excluded from Family Treatment Court solely due to lack of stable housing, unless their circumstances prevent safe or effective management in the community.	Standard 1
Implemented	8	A parent attorney reviews the participation agreement with the applicant to advise on the process and implications of participating in the Family Treatment Court.	Standard 4
Implemented	9	During the intake process, the Family Treatment Court provides participants with a handbook outlining program expectations and reviews its contents.	Standard 1
Implemented	10	The Family Treatment Court uses validated assessment tools to identify participant and family needs and make timely referrals to appropriate services. Referrals connect children, parents, and families to evidence-based treatment that is trauma-informed, culturally responsive, and family-centered, with ongoing assessments addressing barriers to recovery and supporting reunification. These services also promote understanding of substance use disorders and support the development of a stable, recovery-focused lifestyle.	Standard 1, 3, 4, 5, and 6
Implemented	11	The Family Treatment Court treatment providers are licensed, certified, or accredited in accordance with Utah state standards and the requirements of the Department of Human Services or other relevant entities, and have a foundational understanding of the child welfare system, including tribal, state, and federal mandates such as Adoption and Safe Families Act (ASFA), Child Abuse Prevention and Treatment Act (CAPTA), and Indian Child Welfare Act (ICWA).	Standard 1, 5
Implemented	12	The Family Treatment Court meets the child welfare and dependency court mandates to ensure children's safety, well-being, and permanency through whole-family treatment. It assesses safety, risk, need, and protective factors for children, parents, and families throughout the case, not just the parent with the substance use disorder.	Standard 4
Implemented	13	Participants appear before the same Judge throughout their participation in the Family Treatment Court.	Standard 1
Implemented	14	Participants appear no less frequently than twice a month during the first phase of the program. Status hearings are scheduled no less frequently than monthly. In rural areas, allowances may be made for alternative appearances or administrative reviews when the Judge is unavailable.	Standard 1
Implemented	15	The Judge allows participants the opportunity to explain their perspectives regarding the imposition of incentives, sanctions, and service adjustments. The Judge permits the participant's attorney or legal representative to assist in providing such explanations.	Standard 1, 7
Implemented	16	The Judge makes final decisions regarding incentives, sanctions, and service adjustments after considering input from the team. Responses to non-compliant behavior are based upon proximal and distal goals, and the Judge is mindful of the family dynamic when imposing sanctions.	Standard 2
Implemented	17	The Judge and team members engage respectfully with participants and use non-stigmatizing language.	Standard 1, 7
Implemented	18	The Family Treatment Court ensures that parents and children receive frequent, in-person, high-quality parenting and family time at the recommended frequency and duration, and does not use parenting or family time as an incentive or sanction.	Standard 6
Implemented	19	The Family Treatment Court does not apply a rigid set of sanctions for specific types of non-compliance. Responses to non-compliance are trauma-informed, tailored to the individual's unique circumstances and clinical needs, and aligned with evidence-based practices that promote sustained behavior change and recovery.	Standard 3, 7
Implemented	20	Treatment adjustments are based on assessed needs and never used as an incentive or a sanction.	Standard 7
Implemented	21	Jail sanctions are rarely imposed, used only when a participant poses an immediate risk to public safety or when less severe sanctions have failed to address ongoing non-compliance, and never as a substitute for a treatment bed or detoxification service. If the Family Treatment Court imposes a jail sanction, it must strictly adhere to all due process requirements.	Standard 7
Implemented	22	Participants who comply with their treatment and child welfare case plan are not discharged unsuccessfully for continued substance use. If adequate treatment is unavailable despite the team's efforts to secure appropriate services, a neutral discharge is issued. Behaviors contributing to a successful, neutral, or unsuccessful discharge may inform but do not determine the final custody decision.	Standard 7

Implemented	23	Following a discharge, successful, neutral, or unsuccessful, the team ensures participants are connected to appropriate treatment and support resources.  Terminology for Team: <b>Successful discharge</b> occurs when a participant achieves key goals, strengthens family and community ties, and reunification happens when appropriate. <b>Neutral discharge</b> is issued when participation is impossible due to circumstances beyond the participant's control, such as loss of court jurisdiction, health issues, or unavailable treatment or interventions necessary for recovery. <b>Unsuccessful discharge</b> happens when a participant repeatedly fails to meet program expectations or engages in behavior that conflicts with the court's mission despite support and interventions.	Standard 7
Implemented	24	The Family Treatment Court creates a coordinated case plan, supporting the child welfare and treatment plans, with active participation from parents, children (when appropriate), and family members, reflecting family needs and strengths while prioritizing child safety.	Standard 6
Implemented	25	The Family Treatment Court utilizes evidence-based or evidence-informed interventions to address the parent's substance use, mental health, and trauma-related needs, and engages parents in a corresponding evidence-based or evidence-informed parenting curriculum. Children receive evidence-based or evidence-informed treatment and developmental/educational interventions that reflect their assessed level of care and other clinical needs.	Standard 1, 5, and 6
Implemented	26	Parents receive support as they work to develop a sustainable, recovery-oriented lifestyle (e.g., self-help groups, various forms of meditation, etc.).	Standard 6
Implemented	27	Participants diagnosed with mental illness receive appropriate mental health services, which continue as needed throughout their participation in the program	Standard 1, 5, and 6
Implemented	28	Participants are not required to participate in job seeking or vocational skills development in the early phases of the program.	Standard 1
Implemented	29	Participation in the Family Treatment Court is intended only when a parent can reasonably benefit from the program, and is not offered as a last-resort option when termination of parental rights is imminent.	Standard 4, 5, and 7
Implemented	30	The Family Treatment Court structures its phases and services to align with child welfare timelines and the Adoption and Safe Families Act (ASFA), with phase advancement based on observable behaviors and achievement of goals that support progress toward longer-term objectives. Advancement is not determined by treatment level, engagement type, program duration, child placement, or parenting arrangements, and participants are not demoted or required to restart a phase for non-compliance.	Standard 7
Implemented	31	The final phase of Family Treatment Court focuses on relapse prevention, continuing care, pro-social activities, and sustained connection to peer support networks, while helping participants plan for successful child welfare case closure and pursue educational and vocational goals to promote long-term recovery, healthy parent-child relationships, and future opportunities.	Standard 3, 5, and 6
Implemented	32	The Family Treatment Court prepares a report of each participant's and child's progress and needs, which is shared with the team prior to staffing. These reports are objective and focus on the participant's compliance with program expectations and progress toward achieving identified goals.	Standard 1
Implemented	33	All Family Treatment Court partners actively engage in fidelity monitoring of evidence-based practices.	
Implemented	34	Pre-court staff meetings are presumptively closed to participants and the public unless the court has a compelling reason for a participant to attend discussions related to that participant's case.	Standard 1
Implemented	35	Participants provide voluntary and informed consent permitting team members to share specified data elements relating to participants' progress in treatment and compliance with program requirements.	Standard 5, 8
Implemented	36	Program and/or treatment fees are disclosed to participants, set at reasonable rates according to their ability to pay, and reflect the actual costs of testing or other services. Treatment fees follow a sliding scale and are clearly communicated to each participant.	Standard 1, 2
Implemented	37	The parent and children receive case management support to access safe and affordable housing.	Standard 6
Implemented	38	The Family Treatment Court actively partners with pregnant and community agencies to ensure the parents and infants receive all indicated medical care, including the development and support of Plans of Safe Care (POSC) when applicable.	Standard 6
Implemented	39	Drug and alcohol testing employs scientifically valid protocols and ensures reliable procedures, including: 1. Documented chain of custody for each specimen 2. Random collection at least twice a week, including weekends and holidays 4. Witnessed specimen collection is routinely examined for dilution or adulteration 5. Participants receive a written explanation of their rights and responsibilities of drug/alcohol testing.	Standard 5

Implementation Status	#	PRESUMED CRITERIA Adherence to these standards is required for certification.	Reference
Implemented	1	The Family Treatment Court team meets regularly, quarterly, biannually, or annually, to address program needs, review data, monitor adherence to best practice standards, and discuss current policies, procedures, and the delivery of incentives and sanctions to ensure they are applied fairly and consistently. These meetings also include developing action plans to address challenges and expand opportunities.	Standard 1, 3
Implemented	2	The Family Treatment Court team members participate in biannual training to deepen their understanding of substance use disorders, mental health conditions, trauma, and stigma, as well as complementary treatment and social services, behavior modification, community supervision, drug and alcohol testing, team decision-making, and constitutional and legal considerations specific to Family Treatment Courts. Trainings also address recognizing implicit cultural biases and correcting disparate impacts for historically disadvantaged groups.	Standard 1, 2, 3, 4, 5, and 6
Implemented	3	The Judge presides over the Family Treatment Court for no less than two consecutive years.	Standard 2
Implemented	4	All team members use electronic communication to discuss Family Treatment Court issues in real-time	Standard 1
Implemented	5	As part of the onboarding process, all new team members review the Operations Manual, Participant Handbook, Participant Agreement, Certification Checklist, and other key documents outlining the structure and expectations of the Family Treatment Court.	Standard 1
Implemented	6	A skilled and independent evaluator examines the Family Treatment Court's adherence to best practices and participant outcomes no less frequently than every five years.	Standard 8
Implemented	7	The program ensures that eligibility requirements, exclusion criteria, and referral decisions are clearly communicated to all potential referral sources, and when a referral is denied, the reason for the denial is provided.	Standard 1
Implemented	8	The Family Treatment Court examines program referrals and admissions in relation to the total dependency court filings that meet the programs admission criteria.	Standard 8
Implemented	9	The Family Treatment Court builds relationships through cross-training on tribal, state, and federal mandates such as Adoption and Safe Families Act (ASFA), Child Abuse Prevention and Treatment Act (CAPTA), and Indian Child Welfare Act (ICWA) and/or other relevant child welfare legal standards to help bridge differences in perspectives and approaches.	Standard 1
Implemented	10	The Family Treatment Court seeks participant feedback on policies and practices through procedures such as exit interviews, participant surveys, and focus groups.	Standard 3
Implemented	11	Team members record information concerning the provision of services and in-program outcomes within forty-eight hours of the respective events.	Standard 8
Implemented	12	The Family Treatment Court maintains data in an electronic database.	Standard 8
Implemented	13	Eligible parents are referred to the Family Treatment Court at the dispositional hearing, or within 30 days of the dispositional hearing.	Standard 4
Implemented	14	The Family Treatment Court tracks the time between the case opening and treatment entry to monitor timely access.	Standard 5, 8

Implemented	15	The treatment provider conducts reassessments as needed and may adjust the level of care or change providers based on the participant's clinical response. Treatment decisions follow standardized patient placement criteria to ensure consistency and appropriateness, rather than being determined by the program's phase structure.	Standard 5, 6, and 7
Implemented	16	Participants are screened for their suitability for group interventions, and group membership is guided by evidence-based selection criteria including participants' gender, trauma histories and co-occurring psychiatric symptoms.	
Implemented	17	The Judge meets with each participant for an average of at least three minutes to build rapport, review treatment progress and compliance, discuss other services essential to recovery and family reunification, and identify needs for additional support.	Standard 2
Implemented	18	Parents, children, and other family members receive counseling, treatment, and reunification services designed to enhance understanding of substance use disorders, strengthen family bonds, and support the development of a stable, recovery-focused, and healthy parent-child relationship.	Standard 1, 5, and 6
Implemented	19	The Family Treatment Court evaluates available resources and program capacity to determine the appropriate number of participants it can effectively serve	
Implemented	20	Treatment providers implement structured behavioral and cognitive-behavioral interventions with demonstrated efficacy in improving outcomes for individuals with substance use disorders. Providers maintain proficiency through regular supervision, ensuring continuous fidelity to evidence-based practices.	Standard 6
Implemented	21	The Family Treatment Court connects participants with certified peer support specialists.	Standard 6
Implemented	22	The Family Treatment Court connects participants with recovery groups aligned to their needs, supporting individual goals and creating a community-based recovery network.	Standard 6
Implemented	23	Participants receive a brief, evidence-based educational intervention that provides practical strategies and actionable steps to prevent and reverse opioid overdoses.	
Partially Implemented	24	Additional team members may include one or more of the following providers: a public health nurse, pharmacist, early childhood education professional, school social worker, housing provider, or child and adolescent services provider.	Standard 1
Implemented	25	Medication-assisted treatment (MAT) is determined by qualified health professionals, is voluntary, and requires informed consent. Participants who choose MAT must adhere to prescribed protocols. MAT is provided alongside psychosocial supports (e.g., counseling, case management), with the Family Treatment Court ensuring coordinated, comprehensive care.	Standard 5
Implemented	26	Drug test results are available within 48 hours.	Standard 5
Partially Implemented	27	Participants are required to deliver a test specimen within 8 hours of being notified that a drug or alcohol test has been scheduled. <b>Note:</b> This is not referenced in the Family Treatment Court Best Practice Standards, but it is an Adult Treatment Court BPS. See page 97 of the Family Treatment Court Best Practice Standards, <i>"There is currently insufficient research within child welfare populations to make a clear recommendation for drug testing protocols outside those established within the Adult Drug Court Best Practices."</i>	Adult BPS Page 92-109
Implemented	28	Randomly selected specimens are periodically screened for an expanded range of substances to identify emerging substance use trends within the Family Treatment Court population. <b>Note:</b> This is not referenced in the Family Treatment Court Best Practice Standards, but it is an Adult Treatment Court BPS. See page 97 of the Family Treatment Court Best Practice Standards, <i>"There is currently insufficient research within child welfare populations to make a clear recommendation for drug testing protocols outside those established within the Adult Drug Court Best Practices."</i>	Adult BPS Page 92-109
Implemented	29	If a participant denies substance use following a positive screening test, the presumptive result is confirmed using instrumented analysis, such as gas chromatography–mass spectrometry (GC/MS) or liquid chromatography–mass spectrometry (LC/MS-MS), on a portion of the same specimen.	Standard 5
Implemented	30	The Family Treatment Court annually reviews critical program data related to all 5 Rs, program referral, admission, denial, and outcome (successful, unsuccessful, or neutral discharge) through an equity lens (e.g., performance measures are disaggregated by race, ethnicity, gender identity, sexual orientation, physical or mental disability, religion, language preference, citizenship status, and socioeconomic status) to ensure equitable access and outcomes. <b>Recovery</b> (i.e., access to SUD treatment, length of stay, and decreased substance use) and actively seeks to improve related outcomes. Children <b>remaining</b> at home and actively seeks to increase this rate. <b>Reunification</b> and actively seeks to improve the rate. Child <b>repeat</b> maltreatment and actively seeks to reduce the rate. Child <b>reentry</b> into care and actively seeks to reduce the rate.	Standard 8
Implemented	31	As needed, participants are supported in securing safe, stable, and sober housing, beginning in the first phase of Family Treatment Court and continuing throughout their program enrollment.	

Implementation Status	#	NON-CERTIFICATION CRITERIA	Reference
		These standards are grounded in research demonstrating improved outcomes. Compliance is encouraged, but not meeting them will not result in decertification.	
Implemented	1	The Family Treatment Court provides a continuum of substance use treatment services (e.g., detoxification, residential, sober living, day treatment, intensive outpatient, outpatient). Where family-centered resources are limited, the team prioritizes family-centered assessment and case planning to address needs.	Standard 5
Implemented	2	Clinician caseloads should be maintained at a manageable level to ensure timely and comprehensive assessment of participant needs, and to support the delivery of appropriate, effective substance use treatment and indicated ancillary services	Standard 5
Implemented	3	Treatment groups typically consist of no more than twelve participants and are led by a minimum of two facilitators or group leaders.	
Partially Implemented	4	For at least the first ninety days after discharge from the program (successful, neutral, unsuccessful) the treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.	Standard 7, 8
Implemented	6	Information on services provided and participants' in-program performance is recorded in an electronic database. Statistical summaries from the database give staff real-time insight into the Family Treatment Court's adherence to best practices and participant outcomes.	Standard 8

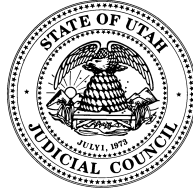
<b>Utah Judicial Council - Family Treatment Court Certification Checklist</b>			
		<b>Court Location: Second District - Weber County Family Recovery Court</b>	
		<b>Judge: Rick Westmoreland</b>	
		<b>Review Date: Checklist Only (Certified in 2025)</b>	
		<p><i>According to UCJA <a href="#">Rule 4-409 Council Approval of Problem-Solving Courts</a>, each problem-solving court must be considered for certification by the Judicial Council every two years.</i></p> <p><i>This checklist outlines best practices consistent with the Family Treatment Court Best Practice Standards and the updated All Rise Adult Treatment Court Best Practice Standards (Revised July 28, 2025) as approved by the Judicial Council. (Revised and Adopted November 24, 2025)</i></p> <p><i>It is intended to help treatment court programs assess their adherence to nationally recognized standards and guide ongoing efforts for continuous improvement.</i></p> <p><i>Website Link: <a href="https://allrise.org/wp-content/uploads/2022/07/Family-Treatment-Court-Best-Practice-Standards_Final2.pdf">https://allrise.org/wp-content/uploads/2022/07/Family-Treatment-Court-Best-Practice-Standards_Final2.pdf</a></i></p>	
<b>Implementation Status</b>	<b>#</b>	<b>REQUIRED CRITERIA (Do No Harm/Minimum)</b> Adherence to these standards is required for certification.	<b>Reference</b>
Implemented	1	The core team includes the Judge, Family Treatment Court coordinator, child welfare agency/state's attorney, parent's attorney, child's attorney, guardian ad litem and/or CASA, child welfare caseworker, substance use disorder treatment provider, mental health treatment provider, as well as child and adolescent services providers.	Standard 1
Implemented	2	All members of the Family Treatment Court team participate in staffing and attend the court hearing.	Standard 1, 2
Implemented	3	The Family Treatment Court, in consultation with the child welfare system and other stakeholders, maintains a written agreement specifying whether a single Judge will preside over both treatment court reviews and dependency proceedings or if responsibilities are divided. When divided, the agreement clearly outlines what information is shared, the timing of sharing, and the discharge decision process.	Standard 1, 7
Implemented	4	The Judge regularly attends pre-court staff meetings to discuss the progress of the participant and the family and to staff responses to behavior, treatment adjustments, and safety concerns. Information shared is deemed necessary for the operational team to monitor and support children, parents, and families toward stable recovery and reunification, permanency, and completion of the child welfare case plan.	Standard 2
Implemented	5	The Operations Manual (Formerly called the Policy and Procedures Manual) details all aspects of the program's operations, including, but not limited to: 1. Phase advancement requirements 2. Incentives, sanctions, service adjustments 3. Graduation criteria 4. Behaviors that may lead to termination 5. Shared mission and vision, jointly developed by partner organizations 6. Defines the roles, responsibilities, and expectations of all team members, with mutual agreement and commitment to these standards. 7. Objectively defined and specified eligibility and exclusion criteria that is written, distributed to, and understood by all partners. 8. Written policies and procedures that ensure confidentiality and security of participant information, which conform to all applicable state and federal laws, including, but not limited to, Utah's Governmental Records Access and Management Act (GRAMA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and 42 C.F.R. 2 (Confidentiality of Substance Abuse Disorder Patient Records). 9. Written policy on medication-assisted treatment (MAT). Participants are not denied admission, sanctioned, or discharged for the prescribed use of MAT, psychiatric medications, or other medications for diagnosed medical conditions such as pain or insomnia.	Standard 1, 4
Implemented	6	The Family Treatment Court team conducts an annual review and update of the participant handbook and operations manual to ensure they remain accurate and effective.	Standard 1
Implemented	7	Participants are not excluded from Family Treatment Court solely due to lack of stable housing, unless their circumstances prevent safe or effective management in the community.	Standard 1
Implemented	8	A parent attorney reviews the participation agreement with the applicant to advise on the process and implications of participating in the Family Treatment Court.	Standard 4
Implemented	9	During the intake process, the Family Treatment Court provides participants with a handbook outlining program expectations and reviews its contents.	Standard 1
Implemented	10	The Family Treatment Court uses validated assessment tools to identify participant and family needs and make timely referrals to appropriate services. Referrals connect children, parents, and families to evidence-based treatment that is trauma-informed, culturally responsive, and family-centered, with ongoing assessments addressing barriers to recovery and supporting reunification. These services also promote understanding of substance use disorders and support the development of a stable, recovery-focused lifestyle.	Standard 1, 3, 4, 5, and 6
Implemented	11	The Family Treatment Court treatment providers are licensed, certified, or accredited in accordance with Utah state standards and the requirements of the Department of Human Services or other relevant entities, and have a foundational understanding of the child welfare system, including tribal, state, and federal mandates such as Adoption and Safe Families Act (ASFA), Child Abuse Prevention and Treatment Act (CAPTA), and Indian Child Welfare Act (ICWA).	Standard 1, 5
Implemented	12	The Family Treatment Court meets the child welfare and dependency court mandates to ensure children's safety, well-being, and permanency through whole-family treatment. It assesses safety, risk, need, and protective factors for children, parents, and families throughout the case, not just the parent with the substance use disorder.	Standard 4
Implemented	13	Participants appear before the same Judge throughout their participation in the Family Treatment Court.	Standard 1
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Implemented	27	Participants are required to deliver a test specimen within 8 hours of being notified that a drug or alcohol test has been scheduled. <b>Note:</b> This is not referenced in the Family Treatment Court Best Practice Standards, but it is an Adult Treatment Court BPS. See page 97 of the Family Treatment Court Best Practice Standards, <i>"There is currently insufficient research within child welfare populations to make a clear recommendation for drug testing protocols outside those established within the Adult Drug Court Best Practices."</i>	Adult BPS Page 92-109
Implemented	28	Randomly selected specimens are periodically screened for an expanded range of substances to identify emerging substance use trends within the Family Treatment Court population. <b>Note:</b> This is not referenced in the Family Treatment Court Best Practice Standards, but it is an Adult Treatment Court BPS. See page 97 of the Family Treatment Court Best Practice Standards, <i>"There is currently insufficient research within child welfare populations to make a clear recommendation for drug testing protocols outside those established within the Adult Drug Court Best Practices."</i>	Adult BPS Page 92-109
Implemented	29	If a participant denies substance use following a positive screening test, the presumptive result is confirmed using instrumented analysis, such as gas chromatography–mass spectrometry (GC/MS) or liquid chromatography–mass spectrometry (LC/MS-MS), on a portion of the same specimen.	Standard 5
Implemented	30	The Family Treatment Court annually reviews critical program data related to all 5 Rs, program referral, admission, denial, and outcome (successful, unsuccessful, or neutral discharge) through an equity lens (e.g., performance measures are disaggregated by race, ethnicity, gender identity, sexual orientation, physical or mental disability, religion, language preference, citizenship status, and socioeconomic status) to ensure equitable access and outcomes. <b>Recovery</b> (i.e., access to SUD treatment, length of stay, and decreased substance use) and actively seeks to improve related outcomes. <b>Children remaining</b> at home and actively seeks to increase this rate. <b>Reunification</b> and actively seeks to improve the rate. <b>Child repeat</b> maltreatment and actively seeks to reduce the rate. <b>Child reentry</b> into care and actively seeks to reduce the rate.	Standard 8
Implemented	31	As needed, participants are supported in securing safe, stable, and sober housing, beginning in the first phase of Family Treatment Court and continuing throughout their program enrollment.	

Implementation Status	#	NON-CERTIFICATION CRITERIA These standards are grounded in research demonstrating improved outcomes. Compliance is encouraged, but not meeting them will not result in decertification.	Reference
Implemented	1	The Family Treatment Court provides a continuum of substance use treatment services (e.g., detoxification, residential, sober living, day treatment, intensive outpatient, outpatient). Where family-centered resources are limited, the team prioritizes family-centered assessment and case planning to address needs.	Standard 5
Implemented	2	Clinician caseloads should be maintained at a manageable level to ensure timely and comprehensive assessment of participant needs, and to support the delivery of appropriate, effective substance use treatment and indicated ancillary services	Standard 5
Implemented	3	Treatment groups typically consist of no more than twelve participants and are led by a minimum of two facilitators or group leaders.	
Implemented	4	For at least the first ninety days after discharge from the program (successful, neutral, unsuccessful) the treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.	Standard 7, 8
Implemented	6	Information on services provided and participants' in-program performance is recorded in an electronic database. Statistical summaries from the database give staff real-time insight into the Family Treatment Court's adherence to best practices and participant outcomes.	Standard 8



# Administrative Office of the Courts

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

May 4, 2026

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

## MEMORANDUM

**TO: Management Committee, Judicial Council**

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

**RE: Treatment Court Certification - Recommendations**

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Under UCJA [Rule 4-409](#), each problem-solving court is reviewed for certification every two years. The Statewide Treatment Court Certification Coordinator evaluates the Council-approved checklist, reviews operational documents, interviews team members, and visits sites to observe staff meetings and court hearings. The Statewide Treatment Court Certification Coordinator then prepares a jurisdiction report for the treatment court team, highlighting successful practices and recommendations. The summary below is provided to the Judicial Council in support of recertification.

**Fourth District Utah County Adult Probation Drug Court - Judge Jared Eldridge.** The program demonstrates innovation and adaptation through gender-specific tracks and the implementation of empowering incentives that reinforce participant progress and engagement in recovery. The Judge and team consistently provide compassion, accountability, and support, acknowledging the challenges of recovery while expressing pride in participant efforts. The team also maintains a strong commitment to continuous improvement through active participation in in-state and national conferences. Based on the certification checklist, team interviews, and court observations, the Statewide Treatment Court Certification Coordinator recommends certification of the Fourth District Adult Probation Drug Court.

**REQUIRED CERTIFICATION CRITERIA:** The court meets all certification criteria.

**PRESUMED CERTIFICATION CRITERIA:** The court meets all certification criteria.

**NON-CERTIFICATION RELATED BEST PRACTICE STANDARDS:**

**#37. New arrests, new convictions, and new incarcerations are monitored for at least 3 years following each participant's entry into the Drug Court.**

The 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.

The team marked “No”. The Statewide Treatment Court Steering Committee is collaborating with the CORE Problem-Solving Court Subcommittee to develop consistent data entry policies and procedures.

#### **NON-CERTIFICATION RELATED BEST PRACTICE STANDARDS:**

##### **#2. Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators.**

The team marked “No” and wrote 16 participants as state standards have changed.

##### **#10. Before starting a Drug Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Drug Courts and develop fair and effective policies and procedures for the program.**

The team marked “No.” The Statewide Treatment Court Coordinator and Certification Coordinator will work with the Education Department to develop training modules to further support the teams. Team members are also encouraged to attend the biannual Utah Treatment Court Conference as well as annual national conferences.

##### **#11. Supervision caseloads do not exceed fifty active participants per supervision officer.**

The team marked “No” and wrote 56. There is currently one probation officer that supervises both of the Recovery Courts in Utah County.

##### **#15. Outcomes are examined for all eligible participants who entered the Drug Court regardless of whether they graduated, withdrew, or were terminated from the program.**

The team marked “No”. The team is working on implementing a more efficient system to collect this information. Additionally, the Statewide Treatment Court Steering Committee is collaborating with the CORE Problem-Solving Court Subcommittee to develop standardized data entry policies and procedures aimed at promoting consistency across programs.

##### **#16. The Drug Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants.**

The team marked “No”. The team is working on implementing a more efficient system to collect this information. Additionally, the Statewide Treatment Court Steering Committee is collaborating with the CORE Problem-Solving Court Subcommittee to develop standardized data entry policies and procedures aimed at promoting consistency across programs.

**UTAH JUDICIAL COUNCIL**  
**ADULT DRUG COURT CERTIFICATION CHECKLIST**  
 REVISED AND ADOPTED DECEMBER 16, 2019 AND MODIFIED JUNE 26, 2023

COURT LOCATION: Fourth District Court - Provo - Probation Drug Court  
 JUDGE NAME: Jared Eldridge  
 REVIEW DATE: \_\_\_\_\_

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

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

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

YES NO

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

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

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

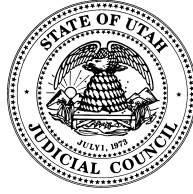
YES NO

		<b>PRESUMED CERTIFICATION CRITERIA</b>		
		#	<i>There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.</i>	BPS
			or alcohol test has been scheduled.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13	Randomly selected specimens are tested periodically for a broader range of substances to detect any new drugs of abuse that might be emerging in the Drug Court population.	VII.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14	If a participant denies substance use in response to a positive screening test, a portion of the same specimen is subjected to confirmatory analysis using an instrumented test, such as gas chromatography/mass spectrometry (GC/MS).	VII.G.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	15	Standardized patient placement criteria govern the level of care that is provided.	V.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16	Adjustments to the level of care are predicated on each participant's response to treatment and are not tied to the Drug Court's programmatic phase structure.	V.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17	Participants receive a sufficient dosage and duration of substance abuse treatment to achieve long-term sobriety and recovery from addiction.	V.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	18	Participants meet with a treatment provider or clinical case manager for at least one individual session per week during the first phase of the program.	V.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	19	Participants are screened for their suitability for group interventions, and group membership is guided by evidence-based selection criteria including participants' gender, trauma histories and co-occurring psychiatric symptoms.	V.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20	Treatment providers administer behavioral or cognitive-behavioral treatments that are documented in manuals and have been demonstrated to improve outcomes for addicted persons involved in the criminal justice system.	V.F. VI.G
<input checked="" type="checkbox"/>	<input type="checkbox"/>	21	Treatment providers are proficient at delivering the interventions and are supervised regularly to ensure continuous fidelity to the treatment models.	V.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	22	Treatment providers are supervised regularly to ensure continuous fidelity to evidence-based practices.	V.H.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23	Before participants enter the peer support groups, treatment providers use an evidence-based preparatory intervention, such as 12-step facilitation therapy.	V.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	24	Participants prepare a continuing-care plan together with their counselor to ensure they continue to engage in pro-social activities and remain connected with a peer support group after their discharge from the Drug Court.	V.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	25	Where indicated, participants receive assistance finding safe, stable, and drug-free housing beginning in the first phase of Drug Court and continuing as necessary throughout their enrollment in the program.	VI.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	26	Participants are assessed using a validated instrument for trauma history, trauma-related symptoms, and posttraumatic stress disorder (PTSD).	VI.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	27	All Drug Court team members, including court personnel and other criminal justice professionals, receive formal training on delivering trauma-informed services.	VI.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	28	Participants with deficient employment or academic histories receive vocational or educational services beginning in a late phase of Drug Court.	VI.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	29	Participants complete a brief evidence-based educational curriculum describing concrete measures they can take to prevent or reverse drug overdose.	VI.L.
<input type="checkbox"/>	<input type="checkbox"/>	30	Clients are placed in the program within 50 days of arrest.	

YES	NO	<b>PRESUMED CERTIFICATION CRITERIA</b>		BPS
		#	<i>There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.</i>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	31	Team members are assigned to Drug Court for no less than two years.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	32	All team members use electronic communication to contemporaneously communicate about Drug Court issues.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	33	Subsequently, team members attend continuing education workshops on at least an annual basis to gain up-to-date knowledge about best practices on topics including substance abuse and mental health treatment, complementary treatment and social services, behavior modification, community supervision, drug and alcohol testing, team decision making, and constitutional and legal issues in Drug Courts.	VIII.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	34	New staff hires receive a formal orientation training on the Drug Court model and best practices in Drug Courts as soon as practicable after assuming their position and attend annual continuing education workshops thereafter.	VIII.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	35	The Drug Court has more than 15 but less than 125 active participants.	IX.A.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	36	The Drug Court monitors its adherence to best practice standards on at least an annual basis, develops a remedial action plan and timetable to rectify deficiencies, and examines the success of the remedial actions.	X.A.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	37	New arrests, new convictions, and new incarcerations are monitored for at least three years following each participant's entry into the Drug Court.	X.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	38	A skilled and independent evaluator examines the Drug Court's adherence to best practices and participant outcomes no less frequently than every five years.	X.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	39	Staff members are required to record information concerning the provision of services and in-program outcomes within forty-eight hours of the respective events.	X.G.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	40	The program conducts an exit interview for self-improvement.	

YES	NO	<b>NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS</b>		BPS
		#	<i>These are best practice standards that research has shown will produce better outcomes. Failure to meet these standards will not result in decertification.</i>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	The Drug Court offers a continuum of care for substance abuse treatment including detoxification, residential, sober living, day treatment, intensive outpatient and outpatient services.	V.A.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2	Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators. <i>16 participants ✓</i>	V.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3	Treatment providers have substantial experience working with criminal justice populations.	V.H.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4	For at least the first ninety days after discharge from the Drug Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.	V.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5	Participants are assessed using a validated instrument for major mental health disorders that co-occur frequently in Drug Courts, including major depression, bipolar disorder (manic depression), posttraumatic stress disorder (PTSD), and other major anxiety disorders.	VI.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6	Participants with PTSD or severe trauma-related symptoms are evaluated for their suitability for group interventions and are treated on an individual basis or in small groups when	VI.F.

YES	NO	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS		BPS
		#	<i>These are best practice standards that research has shown will produce better outcomes. Failure to meet these standards will not result in decertification.</i>	
			necessary to manage panic, dissociation, or severe anxiety.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7	Female participants receive trauma-related services in gender-specific groups.	VI.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8	Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Drug Court.	VI.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9	Participants receive immediate medical or dental treatment for conditions that are life-threatening, cause serious pain or discomfort, or may lead to long-term disability or impairment.	VI.J.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10	Before starting a Drug Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Drug Courts and develop fair and effective policies and procedures for the program.	VIII.F.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	11	Supervision caseloads do not exceed fifty active participants per supervision officer. 56✓	IX.B.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12	Caseloads for clinicians must permit sufficient opportunities to assess participant needs and deliver adequate and effective dosages of substance abuse treatment and indicated complementary services.	IX.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13	The Drug Court continually monitors participant outcomes during enrollment in the program, including attendance at scheduled appointments, drug and alcohol test results, graduation rates, lengths of stay, and in-program technical violations and new arrests or referrals.	X.B.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14	Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Drug Court's adherence to best practices and in-program outcomes.	X.F.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	15	Outcomes are examined for all eligible participants who entered the Drug Court regardless of whether they graduated, withdrew, or were terminated from the program.	X.H.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16	The Drug Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants.	II.B. X.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17	<u>Clients are placed in the program within 50 days after change of plea, sentencing, or a finding that a probation violation has occurred, or within a short period of time thereafter. The earlier treatment begins, the better the outcomes.</u>	



# Administrative Office of the Courts

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

May 4, 2026

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

## MEMORANDUM

**TO:** Management Committee, Judicial Council

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

**RE:** Treatment Court Certification - Recommendations

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Under UCJA [Rule 4-409](#), each problem-solving court is reviewed for certification every two years. The Statewide Treatment Court Certification Coordinator evaluates the Council-approved checklist, reviews operational documents, interviews team members, and visits sites to observe staff meetings and court hearings. The Statewide Treatment Court Certification Coordinator then prepares a jurisdiction report for the treatment court team, highlighting successful practices and recommendations. The summary below is provided to the Judicial Council in support of recertification.

**Fourth District Utah County Adult Recovery Court - Judge Anthony Howell.** The program reflects a strong rehabilitative approach, promoting participant ownership of the recovery process while providing compassion, empathy, and support from the Judge and team. Recovery is framed as a long-term process, reinforced through effective clinical integration, peer support from USARA, and meaningful recognition of participant progress and success. Based on the certification checklist, team interviews, and court observations, the Statewide Treatment Court Certification Coordinator recommends certification of the Fourth District Adult Recovery Court.

**REQUIRED CERTIFICATION CRITERIA:** The court meets all certification criteria.

**PRESUMED CERTIFICATION CRITERIA:** The court meets all certification criteria.

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

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.

**UTAH JUDICIAL COUNCIL  
ADULT DRUG COURT CERTIFICATION CHECKLIST**  
REVISED AND ADOPTED DECEMBER 16, 2019 AND MODIFIED JUNE 26, 2023

COURT LOCATION: Provo, Utah County  
 JUDGE NAME: Anthony Howell  
 REVIEW DATE: March 23, 2026

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

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

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

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

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

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

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

YES	NO	PRESUMED CERTIFICATION CRITERIA		BPS
		#	<i>There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.</i>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	31	Team members are assigned to Drug Court for no less than two years.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	32	All team members use electronic communication to contemporaneously communicate about Drug Court issues.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	33	Subsequently, team members attend continuing education workshops on at least an annual basis to gain up-to-date knowledge about best practices on topics including substance abuse and mental health treatment, complementary treatment and social services, behavior modification, community supervision, drug and alcohol testing, team decision making, and constitutional and legal issues in Drug Courts.	VIII.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	34	New staff hires receive a formal orientation training on the Drug Court model and best practices in Drug Courts as soon as practicable after assuming their position and attend annual continuing education workshops thereafter.	VIII.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	35	The Drug Court has more than 15 but less than 125 active participants.	IX.A.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	36	The Drug Court monitors its adherence to best practice standards on at least an annual basis, develops a remedial action plan and timetable to rectify deficiencies, and examines the success of the remedial actions.	X.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	37	New arrests, new convictions, and new incarcerations are monitored for at least three years following each participant's entry into the Drug Court.	X.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	38	A skilled and independent evaluator examines the Drug Court's adherence to best practices and participant outcomes no less frequently than every five years.	X.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	39	Staff members are required to record information concerning the provision of services and in-program outcomes within forty-eight hours of the respective events.	X.G.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	40	The program conducts an exit interview for self-improvement.	

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

YES NO

		<b>NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS</b>		
		#	<i>These are best practice standards that research has shown will produce better outcomes. Failure to meet these standards will not result in decertification.</i>	BPS
			necessary to manage panic, dissociation, or severe anxiety.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7	Female participants receive trauma-related services in gender-specific groups.	VI.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8	Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Drug Court.	VI.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9	Participants receive immediate medical or dental treatment for conditions that are life-threatening, cause serious pain or discomfort, or may lead to long-term disability or impairment.	VI.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	10	Before starting a Drug Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Drug Courts and develop fair and effective policies and procedures for the program.	VIII.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11	Supervision caseloads do not exceed fifty active participants per supervision officer.	IX.B.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12	Caseloads for clinicians must permit sufficient opportunities to assess participant needs and deliver adequate and effective dosages of substance abuse treatment and indicated complementary services.	IX.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13	The Drug Court continually monitors participant outcomes during enrollment in the program, including attendance at scheduled appointments, drug and alcohol test results, graduation rates, lengths of stay, and in-program technical violations and new arrests or referrals.	X.B.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14	Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Drug Court's adherence to best practices and in-program outcomes.	X.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	15	Outcomes are examined for all eligible participants who entered the Drug Court regardless of whether they graduated, withdrew, or were terminated from the program.	X.H.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16	The Drug Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants.	II.B. X.E.
		17	<u>Clients are placed in the program within 50 days after change of plea, sentencing, or a finding that a probation violation has occurred, or within a short period of time thereafter. The earlier treatment begins, the better the outcomes.</u>	

**Tab 7**



# 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

May 8, 2026

## Memorandum

**TO: Management Committee / Judicial Council**  
**FROM: Bart Olsen**  
**RE: Expedited Policy Amendments**

During its [meeting](#) on February 23, 2026, I informed the Judicial Council of multiple bills moving through the legislative session with a May 2026 effective date that, if passed, would require human resource policy updates. The normal vetting process through the HR Policy Review Committee and the Policy, Planning & Technology Committee (PP&T) would not facilitate timely policy amendments if those bills passed.

As Chair of the PP&T Committee, Judge Gardner suggested that if the bills passed, the necessary policy amendments could skip his committee's review and go straight to the Judicial Council for approval. Judge Mortensen then indicated his support to place the amendments directly into an upcoming Judicial Council meeting agenda.

The following bills passed with an effective date of May 6, 2026, requiring HR policy updates:

- [SB193](#) State Legal Holiday Amendments
- [SB229](#) State Employee Benefits Amendments

In addition, [HB329](#) (State Employee Maternity and Leave Amendments) passed with an effective date of July 1, 2026, also requiring expedited HR policy updates.

Please find below the contextual summaries, applicable effective dates, and links to the redline policy amendments for which we seek your final approval.

### **HR07-2: Holiday Leave**

*Effective date: May 6, 2026*

[SB193](#) changes the name of legal holiday on the third Monday of February from “Washington and Lincoln Day” to “Presidents’ Day.” It also designates Good Friday as a legal holiday in Utah, providing a half-day of paid time off for state employees on Good Friday. The bill requires that managers place high priority on approving an employee’s request to take personal leave on a “state holy day” as defined in [UCA § 63G-1-1101](#).

[Link to redline proposed amendments to HR07-2: Holiday Leave](#)

## **HR07-7: Administrative Leave**

*Effective date: May 6, 2026*

The Department of Government Operations (DGO) implemented the Vantage payroll system on March 18, 2026. Administrative leave procedures relating to the Vantage payroll system were already approved by the State Court Administrator's Office under the Investing in Our People (IOP) initiative, but as a long-term reference they are best housed in human resource policies. Coincidentally, Vantage system features that support these procedures went live on May 9, 2026. For these reasons HR seeks expedited approval from the Council for these amendments alongside those required by legislation.

[Link to redline proposed amendments to HR07-7: Administrative Leave](#)

## **HR07-20: Leave Bank**

*Effective date: May 6, 2026*

[SB229](#) requires government entities that opted into establishing a paid time off (PTO) program for new employees and current employees who elect to participate to establish and administer a leave bank program, and grants the Division of Human Resource Management (DHRM) authority to make rules governing the accrual and use of PTO.

Under SB229, the PTO program begins after the bill's effective date but not later than July 1, 2027. There should be plenty of time for policy amendments needed to implement PTO changes to go through the standard vetting process through the PP&T Committee before PTO changes are implemented.

However, the bill's requirement to establish and administer a leave bank program is effective May 6, 2026. The proposed version of policy HR07-20 adopts the model leave bank assistance policy established by DHRM to comply with this bill after its passage. DHRM's model policy started "from scratch" after language from the bill, resulting in our redline adoption of the policy to be almost entirely new language. For context, below is the current policy if you'd like to compare, followed by the proposed version adopting the DHRM model policy in compliance with SB229.

[Link to current policy HR07-20 governing Leave Bank](#)

[Link to redline proposed amendments to HR07-20: Leave Bank](#)

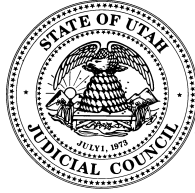
## **HR07-21: Adoption, Foster, Parental and Postpartum Recovery Leave**

*Effective date: July 1, 2026*

[HB329](#) increases postpartum recovery leave from three weeks to six weeks, establishes six weeks of paid leave for adoption of a child under six years old, establishes four weeks of paid leave for foster leave, and provides accompanying clarifications and prohibitions on the use of these leave categories. The bill requires DHRM to make rules to administer these paid leave types. The proposed revisions to HR07-21 adopts the rules drafted by DHRM to administer these leave types for employees of the Judiciary in compliance with the bill.

[Link to redline proposed amendments to HR07-21](#)

Tab 8



# Administrative Office of the Courts

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

May 9, 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 Expedited Approval and Public Comment**

---

Rule 4-510.04 of the Utah Code of Judicial Administration (CJA) is back from a 45-day public comment period. No public comments were received. The Policy, Planning, and Technology Committee (PP&T) recommends that Rule 4-510.04 be approved as final with a *May 18, 2026 effective date*.

### **CJA 4-510.04. ADR Training (AMEND)**

The amendments: 1) ensure court-qualified Primary Trainers are actively involved in 40-hour basic mediation training; 2) require court-qualified mediation training providers to provide or facilitate opportunities for trainees to get the observation and experience requirements necessary to be admitted to the ADR Roster; and 3) make non-substantive formatting changes.

PP&T recommends that proposed amendments to CJA rules 1-205, 4-906, 4-906.01, 4-906.02, 4-906.03, 4-202.02, 4-202.12, 3-110, 3-412, and 4-102 be approved on an expedited basis with a *May 18, 2026 effective date*, followed by a 45-day public comment period.

### **CJA 4-202.12. Request by victim to use initials rather than name (NEW)**

Under [H.B. 102](#), effective May 6, 2026, a crime victim has the choice to use their initials (instead of their names) in charging documents and other public-facing filings and documents. The proposed amendments: 1) establish the process and time limits for victims to make a request; 2) make it the prosecutor's responsibility to file a corrected charging document if a request is made after the charging document was filed; and 3) classify charging documents listing the victim's name as "private" records pending the receipt of an amended charging document.

### **CJA 3-110. Judicial officer financial disclosures (NEW) Judicial Officer Financial Disclosure Form (NEW)**

Under [H.B. 540](#) (*lines 291-304*), effective May 6, 2026, the Judicial Council must: 1) by rule, require judges and commissioners to submit annual financial disclosures that are "comparable to" the conflict of interest disclosures in 20A-11-1604; 2) post the disclosures on the court's website; and 3) submit a written report to the Judiciary Interim Committee before November 1, 2026, that describes the actions the Council has taken to comply with H.B. 540.

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

A new rule and a draft financial disclosure form are attached. Rule 3-110 requires all judicial officers to submit annual financial disclosures on a form approved by the Council. The reporting term aligns with the reporting terms for performance standards in CJA [rule 3-101\(7\)](#).

The financial disclosure form was created using: [20A-11-1604](#); examples of legislative conflict of interest disclosures for both [House](#) and [Senate](#) members; definitions related to [at-risk government employees](#); terminology in the [Code of Judicial Conduct](#); and CJA rule [4-202.02](#) governing the classification of court records. If approved by the Council, court administrators would be responsible for working with their respective benches to gather forms for posting by the AOC. The Council must establish the 2026 reporting and posting timelines.

#### **CJA 4-202.02. Records classification (AMEND)**

The proposed amendments: 1) classify court records identifying a victim by name rather than initials as “private,” if a valid and timely request is made under CJA rule 4-202.12 (*lines 314-216*), and 2) classify unredacted judicial officer financial disclosure forms as “protected records” (*line 391*).

#### **CJA 3-412. Procurement of goods and services (AMEND)**

The proposed amendments bring the rule in line with the Utah Procurement Code.

#### **CJA 4-102. Case, calendar, and panel assignments (AMEND)**

In response to [S.B. 257](#) (*line 1595*), effective May 6, 2026, the proposed amendments require district courts to assign any case or proceeding involving the same child or family to a single judge, “to the extent possible.” This change would give districts the flexibility to create policies that account for local practices. The amendment to paragraph (1)(A) gives the Council more flexibility to approve exemptions to automatic case assignment processes.

#### **CJA 1-205. Standing and Ad Hoc Committees (AMEND)**

The Council has already dissolved the Court Facilities Planning Committee (*lines 30, 113-130*) and approved the membership changes to the Uniform Fine Committee (*lines 58-64*). The new proposed amendments: 1) add the Director of the Self-Help Center and Law Library as a member of the Committee on Children and Family Law (*lines 162-163*), and 2) change the membership of and certain provisions regarding the Guardian ad Litem Oversight Committee (*lines 237-276, 475-476, 503-507, and 558-559*).

#### **CJA 4-906. Guardian ad litem program (AMEND)**

[H.B. 372](#), effective May 6, 2026, made significant modifications to the Guardian ad Litem Oversight Committee (*lines 263-346*) and the responsibilities of the Director of the Office of Guardian ad Litem (*lines 449-455 and 462-468*). The proposed amendments reflect those modifications. The rule currently in effect is unwieldy, so I divided it into four (4) separate rules. Except for the amendments to the GAL Oversight Committee and Director sections in rule 4-906, and the creation of an appeal process in rule 4-906.03, the substance is largely the same. The current version of Rule 4-906 would be repealed and replaced in its entirety. The following rules are attached:

- 4-906. Guardian ad litem program (Current version)

- 4-906. Guardian ad litem Office, Oversight Committee, and Director (Replacement)
- 4-906.01. GALs, staff, and volunteers
- 4-906.02. Private GALs
- 4-906.03. Complaints

1 **Rule 4-510.04. ADR training.**

2 **Intent:**

3 To establish course content, methodology, and trainer qualifications for ~~C~~ourt-approved 40-  
4 hour ~~B~~asic ~~M~~ediation ~~T~~training (“Basic Mediation Training”) and to establish a process for  
5 certification of training programs.

6 **Applicability:** This rule applies ~~in the district court~~ to the Judiciary.

7 **Statement of the Rule:**

8 (1) **Course content requirements.** Any trainer or training program seeking to offer a mediator  
9 training program that fulfills the ~~Court's~~ 40-hour mediator training requirement must abide by the  
10 following:

11 ~~(12)~~(A) **Submission of training materials.** When applying for certification and renewal,  
12 training programs ~~must~~shall provide the ADR Office (“Office”) ~~at the AOC~~ with all training  
13 materials which will be used in the training program. These materials ~~shall~~must include  
14 ~~all exercises, handouts, and~~, ~~but are not limited to, the following:~~ the training manual  
15 ~~provided that is given~~ to the participants, including the required readings; ~~all exercises~~  
16 ~~and handouts~~. Revisions, deletions, and/or additions to the previously approved training  
17 materials must be reported to the Office prior to conducting any course.

18 ~~(13)~~(B) **ADR syllabus approval.** In addition to submission of training materials, each  
19 training program must seek approval of its syllabus from the Office no later than 20  
20 working days in advance of each scheduled offering of a certified mediation training  
21 program. ~~The syllabus shall will be reviewed by the Office for compliance with the~~  
22 ~~training standards.~~ The syllabus must be submitted in a format that easily identifies the  
23 presentation topic, the trainer(s) for each topic, the time allotted to each topic, any  
24 training activities, and the inclusion of the break times. The Office will review the syllabus  
25 for compliance with the training standards and ~~shall~~ notify the trainer or training program  
26 of any deficiencies no later than 10 working days before the program is ~~to be~~  
27 ~~offered~~scheduled. Any deficiencies in the program syllabus ~~shall~~must be corrected prior  
28 to the commencement of the training program.

29 ~~(14)~~(C) **Readings.** All training programs must provide ~~the~~ participants with a copy~~copies~~  
30 of Rules 4-510.01-.06, UCJA, Rule 104~~Rule 104 of the Utah Rules of Court-Annexed~~  
31 Alternative Dispute Resolution (URCADR)~~Rule 104 (the ethical code)~~, Utah Code  
32 title~~Title~~ 78B, c~~C~~hapter 6, p~~P~~art 2, Alternative Dispute Resolution Act, ~~and~~ Utah Code  
33 t~~T~~itle 78B, c~~C~~hapter 10, Utah Uniform Mediation Act, and the Utah Mediation Best  
34 Practice Guide. Time spent reading the required materials may not count towards the  
35 required number of hours of training and can be completed by participants at times when  
36 the training program is not being conducted. ~~Trainers shall incorporate in this~~ The  
37 program ~~some~~must include a method ~~of to~~ ensuring that the required readings are  
38 completed.

39 ~~(15)(D) Ethics t~~**Training**. Training programs ~~shall~~must review with participants Rule 104  
40 of the URCADR and Code of Ethics for ADR Providers. In addition, incorporate ethics  
41 ~~shall be woven~~ throughout the program.

42 (1)(E) Mediation o**Observation and e**Experience o**Opportunities.**

43 (1)(E)(i) In addition to the Basic Mediation Training, the training program must:  
44 ~~All court-qualified 40-hour basic trainings::~~

45 (1)(E)(i)(a) m~~Must~~ provide opportunities for those participants, who  
46 successfully complete the training, to fulfill all 10 hours of mediation  
47 observation and all 10 hours of co-mediation experience in accordance  
48 with Rule~~UCJA~~ 4-510.03; or

49 (1)(E)(i)(b) p~~Provide~~ documentation evidencing how the trainer will  
50 provide opportunities for all 10 hours of mediation observation and all 10  
51 hours of co-mediation experience hours in accordance with ~~UCJA~~-Rule 4-  
52 510.03. For example, -E.g. T he~~contractual arrangements with Utah~~  
53 Court Rostered m~~Mediators on the Roster who have agreed to provide~~  
54 opportunities which fulfill the requirements in Rule~~UCJA~~ 4-510.03.

55 (1)(E)(ii) Trainers who provide Basic Mediation Training for 25 or fewer  
56 participants per calendar year need only provide all 10 hours of mediation  
57 observation opportunities in accordance with Rule~~UCJA~~ 4-510.03 or~~provide~~  
58 documentation evidencing how the trainer will provide opportunities for  
59 participants to complete all 10 hours of mediation observation in accordance with  
60 UCJA~~Rule~~ 4-510.03. E.g. The~~For example, contractual arrangements with~~  
61 mediators on the Roster~~Utah Court Rostered Mediators~~ who have agreed to  
62 provide opportunities which fulfill the mediation observation requirement in  
63 Rule~~UCJA~~ 4-510.03.

64  
65 ~~(26)~~ **Training m**Methodology:

66 ~~(4)(A)(ii)(a)~~~~(26)~~**(A) Pedagogy**. The program ~~shall~~must include, ~~but is not limited to, the~~  
67 ~~following:~~ lecture, group discussion, written exercises, mediation simulations, and role  
68 plays. ~~In addition, o~~Outside readings should also be provided by the trainer to  
69 supplement the training.

70 ~~(26)~~**(B) Mediation d**Demonstration. All training programs ~~shall~~must present a role play  
71 mediation simulation (either live or by video) prior to the participant's role play  
72 experience as the mediator.

73 ~~(26)~~**(C) Primary Trainer**. A ~~P~~pprimary ~~T~~ttrainer must be in attendance during the entire  
74 training program and actively instructing over 50 percent of the training content. It is  
75 preferable that a single ~~P~~pprimary ~~T~~ttrainer fulfill this obligation, but it is permissible that  
76 this be accomplished by more than one ~~P~~pprimary ~~T~~ttrainer.

77 (26)(D) **Participant attendance**: Participants must complete their training requirement  
78 by attending one entire program. The Pprimary Ttrainer is responsible for ensuring that  
79 participants comply with the approved syllabus ~~is complied with~~. Under no  
80 circumstances may a participant be excused from attending portions of the training;  
81 Any portion of the training missed ~~shall~~ must be made up as directed by the Pprimary  
82 Ttrainer.

83 (37) **Primary Trainer gQualifications.**

84 (3)(A) Training programs ~~shall~~ must employ a Pprimary Ttrainer approved by the Office  
85 who meets the applicable qualifications of a Pprimary Ttrainer ~~and who have been~~  
86 ~~approved by the Office. In order to be approved as a~~

87 (3)(B) Pprimary Ttrainers ~~, a trainer~~ must demonstrate at least the following  
88 qualifications:

89 (37)(BA)(i) sSuccessful completion of a minimum of 40 hours of mediation  
90 training;~~:-~~

91  
92 (37)(B)(ii) pParticipation in a minimum of 300 hours of mediation acting as the  
93 mediator; and:-

94  
95 (37)(BG)(iii) cCompletion of 6 hours of continuing mediator education in the last  
96 year.

97  
98 (37)(CD) Primary Ttrainers are approved for a three-~~(3)~~-year period.  
99

100 Effective: ~~4/1/2012~~ May 1, 2026

1 **Rule 4-202.12. Request by victim to use initials rather than name.**

2  
3 **Intent:**

4 To establish the process for using a victim's initials rather than the victim's name in publicly  
5 accessible court filings or documents ("Court Records").

6  
7 **Applicability:**

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

9  
10 **Statement of the rule:**

11 **(1) Form and filing of request.** A request to use a victim's initials on public Court Records  
12 under Utah Code section 77-38-6 must be in writing and submitted to the court. The request  
13 may be submitted by:

14  
15 (1)(A) the victim, provided the request includes:

16  
17 (1)(A)(i) a signed declaration affirming that the requester is the victim, and that  
18 the statement is true and correct and made under criminal penalty under Utah  
19 law; or

20  
21 (1)(A)(ii) other documentation sufficient to verify the victim's identity; or

22  
23 (1)(B) the prosecutor, upon notice that the victim has requested to be identified by  
24 initials.

25  
26 **(2) Request prior to final disposition, judgment, or sentencing.** For an offense occurring on  
27 or after July 1, 2026, if a valid request is made after a charging document or other Court Record  
28 associated with a criminal or juvenile delinquency case has been filed, but before the entry of a  
29 final disposition, judgment, or sentence:

30  
31 (2)(A) the previously filed Court Record that identifies the victim by name rather than  
32 initials must be promptly reclassified as a private record;

33  
34 (2)(B) if the filing is a charging document, the prosecutor must, within 15 days of  
35 receiving notice of the request, file a substitute charging document using the victim's  
36 initials in place of the victim's name, as the public version of the charging document; and

37  
38 (2)(C) if the filing is another public Court Record, the filer must, within 15 days of  
39 receiving notice of the request, file a substitute document using the victim's initials in  
40 place of the victim's name, as the public version of the document.

41  
42 **(3) Exceptions.** This rule does not apply to Court Records:

43  
44 (3)(A) required for the issuance or enforcement of a criminal protective order or a  
45 criminal stalking injunction; or

46  
47 (3)(B) created by the Motor Vehicle Enforcement Division.  
48

49 (4) **Post disposition.** If a victim makes a request under Utah Code section 77-38-6 after the  
50 entry of final disposition, judgment, or sentencing, the request may be presented by motion or  
51 petition under Rule 4-202.04.

52

53 *Effective: May 18, 2026*

1 **Rule 3-110. Judicial officer financial disclosures**

2 **Intent**

3 To establish financial disclosure requirements for judicial officers.

4 **Applicability**

5 This rule applies to court commissioners and all judges and justices in courts of record and not  
6 of record (“judicial officers”).

7 **Statement of the Rule**

8 (1) **Financial disclosures.** Judicial officers must complete an annual financial disclosure form  
9 approved by the Council.

10 **(2) Reporting and publication.**

11 (2)(A) **Reporting term.** For purposes of this rule, the reporting term begins on August 1<sup>st</sup>  
12 and ends on July 31<sup>st</sup>. Except as set forth in paragraph (2)(C), financial disclosure forms  
13 must be submitted between August 1<sup>st</sup> and August 15<sup>th</sup> each year, in accordance with  
14 policies established by the Council.

15 (2)(B) **Publication.** Except as set forth in paragraph (2)(C), the Council will publish all  
16 financial disclosure forms on the court website by October 1<sup>st</sup> each year.

17 (2)(C) **Exception.** For calendar year 2026, financial disclosure forms will be completed  
18 and posted on the court website as soon as practicable, on a date to be determined by  
19 the Council.

20 (3) **Redactions.** Judicial officers are at-risk government employees and public figures. The  
21 Administrative Office will automatically redact judicial officers’ personal and protected  
22 information from financial disclosure forms prior to publication. A judicial officer may request that  
23 additional information be redacted from the form prior to posting.

24 (4) **Public records.** Financial disclosure forms redacted in accordance with paragraph (3) are  
25 public records.

26 *Effective May 18, 2026*



## Judicial Officer Financial Disclosure Form

Pursuant to Rule 3-110 of the Utah Code of Judicial Administration, all judicial officers are required to complete and submit this form to the Judicial Council between August 1<sup>st</sup> and August 15<sup>th</sup> of each year.

\_\_\_\_\_  
**Judicial officer's name**

\_\_\_\_\_  
**Court**

1. Have you been employed by any individual(s) or entity(ies) other than the judicial branch of the State of Utah in the preceding year? **Note:** Justice court judges employed as full-time judges who have no other employment should check 'no.'

Yes

No

If yes, provide a brief description of the employment, occupation, and job title.

2. Have you been an owner or officer of any entity(ies) during the preceding year?

Yes

No

If yes, provide the name of the entity(ies), a brief description of the business or activity, and your position.

3. Have you received \$5,000 or more in income from any entity(ies) or individual(s) during the preceding year?

- Yes
- No

If yes, provide the name of the entity(ies) or individual(s) and a brief description of the business or activity conducted by the entity(ies) or individual(s).

4. Do you hold stocks or bonds with a fair market value of \$5,000 or more in any entity(ies) as of this date or during the preceding year, excluding third-party managed funds (e.g., management investment accounts, blind trusts, mutual funds, etc.)?

- Yes
- No

If yes, provide the name of the entity(ies) and a brief description of the business or activity conducted by the entity(ies).

5. Do you serve in a paid leadership capacity or in a paid or unpaid position on a board of directors of any entity(ies) or organization(s) not listed above?

- Yes
- No

If yes, provide the name of the entity(ies) or organization(s), describe the type of business or activity conducted by the entity(ies) or organization(s), and the type of position held.

6. (Optional) Do you hold an ownership or other financial interest in any real property(ies) that you believe may constitute a conflict of interest?

- Yes
- No

If yes, please provide a brief description of the type of interest held in the property(ies).

7. If you are married, provide the name of your spouse. If you believe your spouse's current employment, or employment in the preceding year, may constitute a conflict of interest, provide the name of your spouse's employer(s).

**Commented [KW1]:** [63A-19-408\(1\)\(a\)\(ii\)](#): judges and court commissioners are "at-risk government employees." [\(1\)\(c\)](#): "personal information" includes "marital status." Because "marital status" is considered "personal information," should #7 be removed or remain but be automatically redacted?

8. Do any adults reside in your home who are not family members?

- Yes
- No

If yes, provide the adult's name. If you believe the adult's presence in your household may constitute a conflict of interest, provide a brief description of the adult's employment or occupation.

I attest that I have reviewed this document in its entirety and confirm that all information provided is accurate and complete to the best of my knowledge.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Definitions.** Chapter 4, Article 2 of the Utah Code of Judicial Administration governs the classification of and access to court records, including this form. For purposes of this form:

**"Family member"** means the spouse, domestic partner, child, grandchild, sibling, parent, or grandparent of a judicial officer. A "family member" may also include a person treated by the judicial officer as a member of the judicial officer's family, if that person resides in the judicial officer's household.

**"Personal information"** includes the judicial officer's or judicial officer's family member's home address, home telephone number, personal mobile telephone number, personal pager number, personal email address, date of birth, driver's license number, social security number, account descriptions and numbers, insurance coverage, marital status, and payroll deductions.

**"Protected information"** includes a judicial officer's business email address, and any information which may jeopardize a judicial officer's or judicial officer's family member's life, safety, or property.

**Redactions.** Judicial officers are at-risk government employees and public figures. Personal and protected information will be redacted from the form before it is posted on the court website. If you would like additional information redacted from this form prior to posting, please check the associated response number below, identify the information you would like redacted, and provide a reason for the redaction.

- Answer 1
- Answer 2
- Answer 3

**Commented [KW2]:** Definition drawn from both [63A-19-408\(1\)\(b\)](#) and [Terminology](#) in the Code of Judicial Conduct.

**Code of Judicial Conduct:** "Member of the judge's family" means a spouse, domestic partner, child, grandchild, parent, grandparent, or other relative or person with whom the judge maintains a close familial relationship.

"Member of a judge's family residing in the judge's household" means any relative of a judge by blood or marriage, or a person treated by a judge as a member of the judge's family who resides in the judge's household.

**63A-19-408(1)(b):** "Family member" means the spouse, child, sibling, parent, or grandparent of an at-risk government employee who is living with the employee.

**Commented [KW3]:** [63A-19-408\(1\)\(c\)](#): "Personal information" means the employee's or the employee's family member's home address, home telephone number, personal mobile telephone number, personal pager number, personal email address, social security number, insurance coverage, marital status, or payroll deductions.

Added "date of birth," "driver's license number," and "account descriptions and numbers" from [4-202.02\(4\)\(M\)](#) (private records).

**Commented [KW4]:** [CJA 4-202.02: \(2\)\(Q\)](#): Judge's name, business address, and business telephone numbers are "public records" (excludes business email addresses).  
**(5)(O)**: "protected records" include records "the disclosure of which would jeopardize life, safety, or property."

**Commented [KW5]:** Will the Management Committee decide whether to redact additional information?

Answer 4

Answer 5

Answer 6

Answer 7

Answer 8

1 **Rule 4-202.02. Records Classification.**

2

3 **Intent:**

4 To classify court records as public or non-public.

5

6 **Applicability:**

7 This rule applies to the judicial branch.

8

9 **Statement of the Rule:**

10 **(1) Presumption of Public Court Records.** Court records are public unless otherwise  
11 classified by this rule.

12

13 **(2) Public Court Records.** Public court records include but are not limited to:

14

15 (2)(A) abstract of a citation that redacts all non-public information;

16

17 (2)(B) aggregate records without non-public information and without personal identifying  
18 information;

19

20 (2)(C) appellate filings, including briefs;

21

22 (2)(D) arrest warrants, but a court may restrict access before service;

23

24 (2)(E) audit reports;

25

26 (2)(F) case files;

27

28 (2)(G) committee reports after release by the Judicial Council or the court that requested  
29 the study;

30

31 (2)(H) contracts entered into by the judicial branch and records of compliance with the  
32 terms of a contract;

33

34 (2)(I) drafts that were never finalized but were relied upon in carrying out an action or  
35 policy;

36

37 (2)(J) exhibits, but the judge may regulate or deny access to ensure the integrity of the  
38 exhibit, a fair trial or interests favoring closure;

39

40 (2)(K) financial records;

41

42 (2)(L) indexes approved by the Management Committee, including the following, in  
43 courts other than the juvenile court; an index may contain any other index information:

44

45 (2)(L)(i) amount in controversy;

46

47 (2)(L)(ii) attorney name;

48

49 (2)(L)(iii) licensed paralegal practitioner name;

- 50  
51 (2)(L)(iv) case number;  
52  
53 (2)(L)(v) case status;  
54  
55 (2)(L)(vi) civil case type or criminal violation;  
56  
57 (2)(L)(vii) civil judgment or criminal disposition;  
58  
59 (2)(L)(viii) daily calendar;  
60  
61 (2)(L)(ix) file date;  
62  
63 (2)(L)(x) party name;  
64  
65 (2)(M) name, business address, business telephone number, and business email  
66 address of an adult person or business entity other than a party or a victim or witness of  
67 a crime;  
68  
69 (2)(N) name, address, telephone number, email address, date of birth, and last four  
70 digits of the following: driver's license number; social security number; or account  
71 number of a party;  
72  
73 (2)(O) name, business address, business telephone number, and business email  
74 address of a lawyer or licensed paralegal practitioner appearing in a case;  
75  
76 (2)(P) name, business address, business telephone number, and business email  
77 address of court personnel other than judges;  
78  
79 (2)(Q) name, business address, and business telephone number of judges;  
80  
81 (2)(R) name, gender, gross salary and benefits, job title and description, number of  
82 hours worked per pay period, dates of employment, and relevant qualifications of a  
83 current or former court personnel;  
84  
85 (2)(S) unless classified by the judge as private or safeguarded to protect the personal  
86 safety of the juror or the juror's family, the name of a juror empaneled to try a case, but  
87 only 10 days after the jury is discharged;  
88  
89 (2)(T) opinions, including concurring and dissenting opinions, and orders entered in open  
90 hearings;  
91  
92 (2)(U) order or decision classifying a record as non-public;  
93  
94 (2)(V) private record if the subject of the record has given written permission to make the  
95 record public;  
96  
97 (2)(W) publications of the Administrative Office;  
98  
99 (2)(X) record in which the judicial branch determines or states an opinion on the rights of  
100 the state, a political subdivision, the public, or a person;

- 101  
102 (2)(Y) record of the receipt or expenditure of public funds;  
103  
104 (2)(Z) record, minutes, or transcript of an open meeting;  
105  
106 (2)(AA) official audio record, minutes, or transcript of an open hearing;  
107  
108 (2)(BB) record of formal discipline of current or former court personnel or of a person  
109 regulated by the judicial branch if the disciplinary action has been completed, and all  
110 time periods for administrative appeal have expired, and the disciplinary action was  
111 sustained;  
112  
113 (2)(CC) record of a request for a record;  
114  
115 (2)(DD) reports used by the judiciary if all of the data in the report is public or the Judicial  
116 Council designates the report as a public record;  
117  
118 (2)(EE) rules of the Supreme Court and Judicial Council;  
119  
120 (2)(FF) search warrants, the application and all affidavits or other recorded testimony on  
121 which a warrant is based are public after they are unsealed under Rule 40 of the Utah  
122 Rules of Criminal Procedure;  
123  
124 (2)(GG) statistical data derived from public and non-public records but that disclose only  
125 public data; and  
126  
127 (2)(HH) notwithstanding subsections (6) and (7), if a petition, indictment, or information is  
128 filed charging a person 14 years of age or older with a felony or an offense that would be  
129 a felony if committed by an adult, the petition, indictment or information, the adjudication  
130 order, the disposition order, and the delinquency history summary of the person are  
131 public records. The delinquency history summary will contain the name of the person, a  
132 listing of the offenses for which the person was adjudged to be within the jurisdiction of  
133 the juvenile court, and the disposition of the court in each of those offenses. Upon a  
134 finding of good cause on the record, the juvenile court may reclassify these records as  
135 non-public.  
136

137 **(3) Sealed Court Records.** The following court records are sealed:

138  
139 (3)(A) records in the following actions:

140  
141 (3)(A)(i) Utah Code, title 81, chapter 13, Adoption, six months after the  
142 conclusion of proceedings, which are private until sealed;

143  
144 (3)(A)(ii) Utah Code, title 81, chapter 5, part 8, Gestational Agreement, six  
145 months after the conclusion of proceedings, which are private until sealed;

146  
147 (3)(A)(iii) Utah Code section 76-7-304.5, Consent required for abortions  
148 performed on minors; and

149  
150 (3)(A)(iv) Utah Code section 78B-8-402, Actions for disease testing;  
151

- 152 (3)(B) expunged records;  
153  
154 (3)(C) orders authorizing installation of pen register or trap and trace device under Utah  
155 Code section 77-23a-15;  
156  
157 (3)(D) records showing the identity of a confidential informant;  
158  
159 (3)(E) records relating to the possession of a financial institution by the commissioner of  
160 financial institutions under Utah Code section 7-2-6;  
161  
162 (3)(F) wills deposited for safe keeping under Utah Code, title 75, chapter 2, part 9,  
163 Custody and Deposit of Wills;  
164  
165 (3)(G) records designated as sealed by rule of the Supreme Court;  
166  
167 (3)(H) record of a Children's Justice Center investigative interview after the conclusion of  
168 any legal proceedings;  
169  
170 (3)(I) on appeal, any record previously designated as sealed by another court;  
171  
172 (3)(J) video record of a court proceeding, other than security video;  
173  
174 (3)(K) "nonpublic restitution record" as defined in Utah Code section 63M-7-502; and  
175  
176 (3)(L) other records as ordered by the court under Rule 4-202.04.  
177

178 **(4) Private Court Records.** The following court records are private:  
179

180 (4)(A) records in the following actions:  
181

182 (4)(A)(i) Utah Code section 26B-5-332, Involuntary commitment under court  
183 order;  
184

185 (4)(A)(ii) Utah Code section 76-11-310, Removal from the National Instant Check  
186 System database;  
187

188 (4)(A)(iii) Utah Code, title 81, chapter 13, Adoption, until the records are sealed;  
189

190 (4)(A)(iv) Utah Code, title 81, chapter 5, part 8, Gestational Agreement, until the  
191 records are sealed;  
192

193 (4)(A)(v) cases initiated in the district court by filing an abstract of a juvenile court  
194 restitution judgment; and  
195

196 (4)(A)(vi) Utah Code section 26B-8-111, Sex designation changes, and name  
197 changes combined with sex designation changes for both minors and adults,  
198 except that:  
199

200 (4)(A)(vi)(a) the case history is public for minors; and  
201

202 (4)(A)(vi)(b) the case history and record of public hearings are public for  
203 adults.  
204

205 (4)(B) records in the following actions, except that the case history, judgments, orders,  
206 decrees, letters of appointment, and the record of public hearings are public records:  
207

208 (4)(B)(i) Utah Code, title 81, Utah Domestic Relations Code, including qualified  
209 domestic relations orders, except that an action for consortium due to personal  
210 injury under Utah Code section 81-3-111 is public;  
211

212 (4)(B)(ii) Utah Code, title 75, chapter 5, Protection of Persons Under Disability  
213 and their Property;  
214

215 (4)(B)(iii) Utah Code, title 78B, chapter 7, Protective Orders and Stalking  
216 Injunctions;  
217

218 (4)(B)(iv) Utah Code, title 81, chapter 6, Child Support;  
219

220 (4)(B)(v) Utah Code, title 81, chapter 11, Utah Uniform Child Custody Jurisdiction  
221 and Enforcement Act;  
222

223 (4)(B)(vi) Utah Code, title 81, chapter 8, Uniform Interstate Family Support Act;  
224

225 (4)(B)(vii) Utah Code, title 81, chapter 5, Utah Uniform Parentage Act; and  
226

227 (4)(B)(viii) an action to modify or enforce a judgment in any of the actions in this  
228 subparagraph (4)(B);  
229

230 (4)(C) records related to determinations of indigency;  
231

232 (4)(D) an affidavit supporting a motion to waive fees;  
233

234 (4)(E) aggregate records other than public aggregate records under paragraph (2);  
235

236 (4)(F) alternative dispute resolution records;  
237

238 (4)(G) applications for accommodation under the Americans with Disabilities Act;  
239

240 (4)(H) jail booking sheets;  
241

242 (4)(I) citation, but an abstract of a citation that redacts all non-public information is public;  
243

244 (4)(J) judgment information statement;  
245

246 (4)(K) judicial review of final agency action under Utah Code section 80-2-707;  
247

248 (4)(L) the following personal identifying information about a party: driver's license  
249 number, social security number, account description and number, password,  
250 identification number, maiden name and mother's maiden name, and similar personal  
251 identifying information;  
252

253 (4)(M) the following personal identifying information about a person other than a party or  
254 a victim or witness of a crime: residential address, personal email address, personal  
255 telephone number; date of birth, driver's license number, social security number,  
256 account description and number, password, identification number, maiden name,  
257 mother's maiden name, and similar personal identifying information;  
258  
259 (4)(N) medical, psychiatric, or psychological records;  
260  
261 (4)(O) name of a minor, except that the name of a minor party is public in the following  
262 district and justice court proceedings:  
263  
264 (4)(O)(i) name change of a minor, unless the name change is combined with a  
265 sex designation change;  
266  
267 (4)(O)(ii) guardianship or conservatorship for a minor;  
268  
269 (4)(O)(iii) felony, misdemeanor, or infraction when the minor is a party;  
270  
271 (4)(O)(iv) protective orders and stalking injunctions; and  
272  
273 (4)(O)(v) custody orders and decrees;  
274  
275 (4)(P) nonresident violator notice of noncompliance;  
276  
277 (4)(Q) personnel file of a current or former court personnel or applicant for employment;  
278  
279 (4)(R) photograph, film, or video of a crime victim;  
280  
281 (4)(S) record of a court hearing closed to the public or of a child's testimony taken under  
282 Rule 15.5 of the Utah Rules of Criminal Procedure:  
283  
284 (4)(S)(i) permanently if the hearing is not traditionally open to the public and  
285 public access does not play a significant positive role in the process; or  
286  
287 (4)(S)(ii) if the hearing is traditionally open to the public, until the judge  
288 determines it is possible to release the record without prejudice to the interests  
289 that justified the closure;  
290  
291 (4)(T) record submitted by a senior judge or court commissioner regarding performance  
292 evaluation and certification;  
293  
294 (4)(U) record submitted for in camera review until its public availability is determined;  
295  
296 (4)(V) reports of investigations by Child Protective Services;  
297  
298 (4)(W) statement in support of petition to determine competency;  
299  
300 (4)(X) victim impact statements;  
301

- 302 (4)(Y) name of a prospective juror summoned to attend court, unless classified by the  
303 judge as safeguarded to protect the personal safety of the prospective juror or the  
304 prospective juror's family;  
305  
306 (4)(Z) records filed pursuant to Rules 52 - 59 of the Utah Rules of Appellate Procedure,  
307 except briefs filed pursuant to court order;  
308  
309 (4)(AA) records in a proceeding under Rule 60 of the Utah Rules of Appellate Procedure;  
310  
311 (4)(BB) records related to Court Commissioner Conduct Committee and Council actions  
312 under Rule 3-201.02, other than a public censure by the Council;  
313  
314 (4)(CC) for an offense occurring on or after July 1, 2026, a court record that identifies a  
315 victim of a crime by name rather than initials if, prior to the entry of final disposition,  
316 judgment, or sentence in the case, a valid request is made under Rule 4-202.12; and  
317  
318 (4)(~~DD~~)(~~GG~~) other records as ordered by the court under Rule 4-202.04.  
319

320 **(5) Protected Court Records.** The following court records are protected:

- 321  
322 (5)(A) attorney's work product, including the mental impressions or legal theories of an  
323 attorney or other representative of the courts concerning litigation, privileged  
324 communication between the courts and an attorney representing, retained, or employed  
325 by the courts, and records prepared solely in anticipation of litigation or a judicial, quasi-  
326 judicial, or administrative proceeding;  
327  
328 (5)(B) records that are subject to the attorney client privilege;  
329  
330 (5)(C) bids or proposals until the deadline for submitting them has closed;  
331  
332 (5)(D) budget analyses, revenue estimates, and fiscal notes of proposed legislation  
333 before issuance of the final recommendations in these areas;  
334  
335 (5)(E) budget recommendations, legislative proposals, and policy statements, that if  
336 disclosed would reveal the court's contemplated policies or contemplated courses of  
337 action;  
338  
339 (5)(F) court security plans;  
340  
341 (5)(G) investigation and analysis of loss covered by the risk management fund;  
342  
343 (5)(H) memorandum prepared by staff for a member of any body charged by law with  
344 performing a judicial function and used in the decision-making process;  
345  
346 (5)(I) confidential business records under Utah Code section 63G-2-309;  
347  
348 (5)(J) record created or maintained for civil, criminal, or administrative enforcement  
349 purposes, audit or discipline purposes, or licensing, certification or registration purposes,  
350 if the record reasonably could be expected to:  
351  
352 (5)(J)(i) interfere with an investigation;

- 353  
354 (5)(J)(ii) interfere with a fair hearing or trial;  
355  
356 (5)(J)(iii) disclose the identity of a confidential source; or  
357  
358 (5)(J)(iv) concern the security of a court facility;  
359  
360 (5)(K) record identifying property under consideration for sale or acquisition by the court  
361 or its appraised or estimated value unless the information has been disclosed to  
362 someone not under a duty of confidentiality to the courts;  
363  
364 (5)(L) record that would reveal the contents of settlement negotiations other than the  
365 final settlement agreement;  
366  
367 (5)(M) record the disclosure of which would impair governmental procurement or give an  
368 unfair advantage to any person;  
369  
370 (5)(N) record the disclosure of which would interfere with supervision of an offender's  
371 incarceration, probation, or parole;  
372  
373 (5)(O) record the disclosure of which would jeopardize life, safety, or property;  
374  
375 (5)(P) strategy about collective bargaining or pending litigation;  
376  
377 (5)(Q) test questions and answers;  
378  
379 (5)(R) "trade secrets" as defined in Utah Code section 13-24-2;  
380  
381 (5)(S) record of a Children's Justice Center investigative interview before the conclusion  
382 of any legal proceedings;  
383  
384 (5)(T) presentence investigation report;  
385  
386 (5)(U) probation progress/violation reports;  
387  
388 (5)(V) except for those filed with the court, records maintained and prepared by juvenile  
389 probation;  
390  
391 [\(5\)\(W\) unredacted judicial officer financial disclosure forms](#); and  
392  
393 (5)(~~X~~W) other records as ordered by the court under Rule 4-202.04.  
394

395 **(6) Juvenile Court Social Records.** The following are juvenile court social records:  
396

- 397 (6)(A) correspondence relating to juvenile social records;  
398  
399 (6)(B) custody evaluations, parent-time evaluations, parental fitness evaluations,  
400 substance abuse evaluations, domestic violence evaluations;  
401  
402 (6)(C) medical, psychological, psychiatric evaluations;  
403

- 404 (6)(D) pre-disposition, dispositional, and social summary reports;  
405  
406 (6)(E) probation agency and institutional reports or evaluations;  
407  
408 (6)(F) referral reports;  
409  
410 (6)(G) report of preliminary inquiries;  
411  
412 (6)(H) treatment or service plans;  
413  
414 (6)(I) nonjudicial adjustment records; and  
415  
416 (6)(J) documents filed with the court that were received pursuant to the Utah Interstate  
417 Compact for Juveniles.  
418

419 **(7) Juvenile Court Legal Records.** The following are juvenile court legal records:  
420

- 421 (7)(A) accounting records;  
422  
423 (7)(B) discovery filed with the court;  
424  
425 (7)(C) pleadings, summonses, subpoenas, motions, affidavits, calendars, minutes,  
426 findings, orders, decrees, probable cause statements;  
427  
428 (7)(D) name of a party or minor;  
429  
430 (7)(E) record of a court hearing;  
431  
432 (7)(F) referral and offense histories; and  
433  
434 (7)(G) any other juvenile court record regarding a minor that is not designated as a  
435 social record.  
436

437 **(8) Safeguarded Court Records.** The following court records are safeguarded:  
438

- 439 (8)(A) upon request, location information, contact information, and identity information,  
440 other than the name of a petitioner and other persons to be protected, in an action filed  
441 under Utah Code, title 78B, chapter 7, Protective Orders and Stalking Injunctions;  
442  
443 (8)(B) upon request, location information, contact information and identity information,  
444 other than the name of a party or the party's child, after showing by affidavit that the  
445 health, safety, or liberty of the party or child would be jeopardized by disclosure in a  
446 proceeding under Utah Code, title 81, chapter 11, Utah Uniform Child Custody  
447 Jurisdiction and Enforcement Act, Utah Code, title 81, chapter 8, Uniform Interstate  
448 Family Support Act; or Utah Code, title 81, chapter 5, Utah Uniform Parentage Act;  
449  
450 (8)(C) upon request, if the information has been safeguarded under paragraph (8)(A) or  
451 (8)(B), location information, contact information and identity information, other than the  
452 name of a party or the party's child, in a proceeding under Utah Code, title 81, Utah  
453 Domestic Relations Code;  
454

455 (8)(D) location information, contact information, and identity information of prospective  
456 jurors on the master jury list or the qualified jury list;

457  
458 (8)(E) location information, contact information, and identity information other than name  
459 of a prospective juror summoned to attend court; and

460  
461 (8)(F) the following information about a victim or witness of a crime, including, upon  
462 receipt of notice, a participant in the Safe at Home Program under Utah Code, title 77,  
463 chapter 38, part 6, Safe at Home Program:

464  
465 (8)(F)(i) business and personal address, email address, telephone number, and  
466 similar information from which the person can be located or contacted;

467  
468 (8)(F)(ii) date of birth, driver's license number, social security number, account  
469 description and number, password, identification number, maiden name,  
470 mother's maiden name, and similar personal identifying information;

471  
472 (8)(F)(iii) except for a Safe at Home Program participant's assigned address,  
473 documents showing a participant's enrollment, including the authorization card,  
474 for a program participant under Utah Code, title 77, chapter 38, part 6, Safe at  
475 Home Program.

476

477 *Effective: ~~September 1, 2025~~ May 18, 2026*

1 **Rule 3-412. Procurement of goods and services.**

2 **Intent:**

3 To ~~identify the respective responsibilities of~~ establish policies and procedures for ~~the judiciary~~  
4 ~~and the Department of Administrative Services in~~ the procurement of goods and services in the  
5 judicial branch.

6 **Applicability:**

7 This rule ~~shall apply~~ applies to the judiciary's expenditure of funds appropriated by the  
8 legislature.

9 **Statement of the Rule:**

10 (1) **Definitions.** ~~Except as provided in Subsection (2), a~~ All terms are defined as provided in  
11 by the Utah Procurement Code, ~~as amended, the Regulations of the Utah State Procurement~~  
12 ~~Policy Board, as amended and the Division of Purchasing's Policies and Procedures. Any~~  
13 ~~discrepancy between the statutory definition and the definition contained in the regulations shall~~  
14 ~~be controlled by the statutory definition.~~

15 (2) **Chief procurement officer.** ~~As used in this rule,~~ The state court administrator is the "chief  
16 procurement officer" ~~means the State Court Administrator~~ for the judicial branch.

17 (3) **Procurement officers.** The sState cCourt aAdministrator may designate others to serve as  
18 procurement officers for various parts of the judiciary. ~~For example, court executives are the~~  
19 ~~procurement officers for their courts. The State Court Administrator or designee or a~~  
20 ~~procurement officer may enter into contracts or make written determinations with respect thereto~~  
21 ~~as provided in this rule. Court Purchasing will advise procurement officers on purchases to~~  
22 ~~ensure compliance with rules, policies, and statutes.~~

23 (4) Compliance with the law - Conflicts. The judiciary must comply with the Utah Procurement  
24 Code. The state court administrator, a designee, or a procurement officer may enter into a  
25 contract or make a written determination as provided in this Code and the Accounting Manual.  
26 Any conflicts between the Accounting Manual and this rule will be resolved in favor of this rule.

27 ~~(4) Contracts to conform to statute and regulations.~~

28 ~~(4)(A) All contracts for the procurement of supplies, services, or construction entered~~  
29 ~~into, by or on behalf of the judiciary, shall conform to the Utah Procurement Code, as~~  
30 ~~amended, the Regulations of the Utah State Procurement Policy Board, as amended~~  
31 ~~and the Division of Purchasing's Policies and Procedures. Any discrepancy between the~~  
32 ~~procedures provided for by statute and the procedures provided for by regulation shall~~  
33 ~~be controlled by the statutory procedures.~~

34 ~~(4)(B) Subject to the availability of funds, the State Court Administrator may establish~~  
35 ~~within the administrative office a procurement section that shall have the responsibility~~  
36 ~~and authority as provided by the Utah Procurement Code and the Regulations of the~~  
37 ~~Utah State Procurement Policy Board. Unless a procurement section is established, the~~

Commented [KW1]: Placeholder until the Accounting Manual is amended.

38 judiciary shall work with and through the Department of Administrative Services, Division  
39 of Purchasing in the procurement of supplies, services, or construction.

40 ~~(5) Authority to contract.~~

41 ~~(5)(A) Contracts for the procurement of supplies, services, or construction for an~~  
42 ~~amount greater than \$5000 per individual item or \$10,000 per overall purchase~~  
43 ~~shall be approved by the state court administrator or a designated procurement~~  
44 ~~officer. General Counsel shall approve such contracts as to form and legal~~  
45 ~~sufficiency, and the manager of finance shall approve such contracts as to~~  
46 ~~availability of funds. Other provisions for contract management contained in this~~  
47 ~~Code shall be followed if they apply to the particular contract.~~

48 ~~(5)(B) Requests to enter into contracts greater than \$5000 per individual item or~~  
49 ~~\$10,000 per overall purchase shall be directed to the Chief Procurement Officer~~  
50 ~~or designee. The Chief Procurement Officer or designee shall coordinate all~~  
51 ~~procedures required by the Utah Procurement Code, as amended, the~~  
52 ~~Regulations of the Utah State Procurement Policy Board, as amended and the~~  
53 ~~Division of Purchasing's Policies and Procedures. Before final award of the~~  
54 ~~contract, the contract shall be approved pursuant to paragraph (5)(A).~~

55 ~~(5)(C) Court executives are authorized to approve and enter into contracts for the~~  
56 ~~procurement of supplies, services, or construction on behalf of their courts when~~  
57 ~~they are under the small purchase rule thresholds of up to \$5,000 for individual~~  
58 ~~items and up to \$10,000 total per purchase. Court executives may enter into~~  
59 ~~such contracts subject to the availability of funds and in accordance with~~  
60 ~~paragraph (4) of this rule.~~

61 (5) Procurement limits and procedures.

62 (5)(A) Small purchase limit. Subject to the availability of funds, the deputy state court  
63 administrator, court level administrators, trial court executives, and directors in the  
64 Administrative Office are authorized to approve and enter into contracts for the  
65 procurement of supplies, services, or construction on behalf of their department or courts  
66 when the contract is under the small purchase thresholds of up to \$5,000 per individual  
67 item or \$10,000 per overall purchase. Court Purchasing will advise individuals granted  
68 purchasing authority under this paragraph to ensure compliance with this Code, court  
69 policies, the Accounting Manual, and the Utah Procurement Code.

70 (5)(B) Professional services and outside counsel. The small purchase limit for  
71 professional services and consultants is a maximum of \$100,000 per project. The  
72 purchaser must review the qualifications of a minimum of three providers, rank them,  
73 and begin direct fee negotiations with the highest-ranked provider. The procurement of  
74 outside legal counsel, litigation-related consultants, expert witnesses, and litigation  
75 support services must be approved by the Council. The procurement of such services  
76 may be processed as a small purchase up to a maximum of \$250,000 per contract. Fees  
77 must be reasonable and within industry standards.

Commented [KW2]: 63G-6a-506(2), 63G-6a-106(1), (5), R105-1.

(5)(C) Court purchasing. Requests to enter into contracts greater than \$5,000 per individual item or \$10,000 per overall purchase must be directed to Court Purchasing. Court Purchasing will coordinate all procedures for such purchases as required by this Code, court policies, the Accounting Manual, and the Utah Procurement Code.

(5)(D) Approval. Purchases under paragraphs (5)(B) and (5)(C) must be approved by the state court administrator or a designee. General Counsel must approve such contracts as to form and legal sufficiency. The Finance Director must approve such contracts as to the availability of funds. Other provisions for contract management in this Code must be followed if applicable to a particular contract.

(5)(E) Threshold exceptions. The professional service threshold and thresholds in paragraphs (5)(A) and (5)(C) may be exceeded if the state court administrator gives written authorization. A threshold for outside counsel or litigation-related services may be exceeded with written authorization from the Council. All written authorizations must include the reasons for exceeding the threshold.

Commented [KW3]: 63G-6a-506(3)

**(6) Exceptions to standard procurement processes.**

(6)(A) Written determination. The chief procurement officer or a designee may award a contract without engaging in a standard procurement process if the chief procurement officer or designee determines in writing that a statutory exception or paragraph (6)(B) applies.

Commented [KW4]: 63G-6a-802(1)

(6)(B) Impracticality. Circumstances that make a standard procurement process impractical and not in the best interest of the judiciary include:

Commented [KW5]: 63G-6a-802(1)(c)

(6)(B)(i) retaining outside legal counsel or litigation support services;

(6)(B)(ii) securing conference and convention facilities with unique or specialized amenities, abilities, location, or services; or

(6)(B)(iii) other circumstances where strict compliance would compromise court security, legal strategy, or confidentiality.

(6)(C) Public notice. With written authorization from the state court administrator, public notice of the intent to award a contract without engaging in a standard procurement process for purchases exceeding \$50,000 may be waived for the following procurements:

Commented [KW6]: 63G-6a-802(3)(b)(ii); R33-108-101e.(2)(a)(xi)

(6)(C)(i) speakers or trainers with unique or proprietary presentations or training materials;

(6)(C)(iv) circumstances set forth in paragraph (6)(B); or

(6)(C)(v) other circumstances as determined in writing by the state court administrator or Council.

~~(7)(D)~~ **Artificial divisions.** Procurement requirements shall ~~shall~~ must not be artificially divided so as to avoid the provisions of this rule.

115 ~~(§5)(E)~~ State contracts. Court employees should check to see if items are available on state  
116 contract before making a purchase ~~by using the State Purchasing website contract search page~~  
117 ~~or contacting Court Purchasing. -Contract Search Page~~  
118 ~~link: <https://statecontracts.utah.gov/Home/Search>.~~  
119 *Effective:* ~~September 13, 2022~~ May 18, 2026

1 **Rule 4-102. Case, calendar, and panel assignments**

2 **Intent:**

3 The intent of this rule is to establish uniform administrative procedures for the assignment and  
4 reassignment of judges and cases in a manner that ensures a fair, impartial, and equitable  
5 distribution of judicial workloads and the efficient administration of justice.

6 **Applicability:**

7 This rule applies to district, juvenile, and business and chancery courts.

8 **Statement of the Rule:**

9 **(1) Initial assignments.**

10 (1)(A) **District – Business and Chancery courts.** All newly filed cases in district courts  
11 and the business and chancery court will be assigned to judges on a random basis using  
12 an automated case assignment process approved by the Council, unless ~~a case type~~[an](#)  
13 exemption is granted. The Council may not approve ~~a case type~~[an](#) exemption for three-  
14 judge panels. The automated process should, to the greatest extent possible, ensure  
15 that case assignments cannot be predicted by court staff or judges.

16 (1)(B) **Juvenile courts.** All newly filed cases in juvenile courts will be assigned using a  
17 fair and impartial process approved by the Council.

18 (1)(C) **Three-judge panels.** District court judges will be assigned to newly created three-  
19 judge panels convened in accordance with Utah Code section 78A-5-102.7 and the Utah  
20 Rules of Civil Procedure on a random basis using an automated case assignment  
21 process approved by the Council. The automated case assignment process must pull  
22 judges from a list of qualified district court judges approved by the Council and ensure  
23 judges assigned to each panel are from different judicial districts. The list of qualified  
24 district court judges must include at least 50% of the district court judges from each  
25 district.

26 **(2) Reassignments.**

27 (2)(A) **District, Juvenile, and Business and Chancery courts.** All district courts,  
28 juvenile courts, and the business and chancery court must establish a fair and impartial  
29 reassignment process approved by the Council. To the extent possible, district courts  
30 should assign any civil case or proceeding involving the same child or family to a single  
31 judge.

32 (2)(B) **Three-judge panels.** If a judge on a three-judge panel must be reassigned due to  
33 disqualification, recusal, or a change of judge as a matter of right, a new district court  
34 judge from a different judicial district than the other judges on the panel will be assigned  
35 to the panel on a random basis using the automated case assignment process  
36 established in paragraph (1)(C).

37 (3) **Water and tax cases.** Except for panel assignments and reassignments in paragraphs  
38 (1)(C) and (2)(B), assignments and reassignments for district court water cases and district  
39 court tax cases are governed by Rules 6-103 and 6-104.~~5~~

40 (4) **Compliance.** All case assignments and reassignments must comply with this Code, ~~the~~  
41 ~~Utah Code,~~ Utah Rules of Procedure, and the Utah Code of Judicial Conduct.

42 *Effective: ~~February 24~~May 18, 2026*

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

2

3 **Intent:**

4

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

7

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

9

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

12

13 **Applicability:**

14

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

16

17 **Statement of the Rule:**

18

19 **(1) Standing Committees.**

20

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

23

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

25

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

27

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

29

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

31

32 (1)(A)(iv) Committee on Children and Family Law;

33

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

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36 (1)(A)(vi) Language Access Committee;

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38 (1)(A)(vii) Guardian ad Litem Oversight Committee;

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

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

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44 (1)(A)(x) Committee on Court Forms;

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

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

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

**(1)(B) Composition.**

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

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

(1)(B)(i)(ab) one three district court judges ~~who have~~ who has experience with a ~~misdemeanor~~ criminal docket; and

(1)(B)(i)(bc) two~~four~~ justice court judges.

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

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

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

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

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

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

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

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

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

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

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

- 89
- 90 (1)(B)(iii)(d) one juvenile court judge;
- 91
- 92 (1)(B)(iii)(e) the education liaison of the Board of Justice Court Judges;
- 93
- 94 (1)(B)(iii)(f) one court level administrator;
- 95
- 96 (1)(B)(iii)(g) the Human Resources Director;
- 97
- 98 (1)(B)(iii)(h) one court executive;
- 99
- 100 (1)(B)(iii)(i) one juvenile court probation representative;
- 101
- 102 (1)(B)(iii)(j) two court clerks from different levels of court and different
- 103 judicial districts;
- 104
- 105 (1)(B)(iii)(k) one data processing manager; and
- 106
- 107 (1)(B)(iii)(l) one adult educator from higher education.
- 108
- 109 (1)(B)(iii)(m) The Human Resources Director and the adult educator will
- 110 serve as non-voting members. The court level administrator and the
- 111 Human Resources Director will serve as permanent Committee members.
- 112

113 ~~(1)(B)(iv) The Court Facility Planning Committee performs the duties~~  
114 ~~described in Rule 3-409 and will consist of:~~

115

116 ~~(1)(B)(iv)(a) one judge from each level of trial court;~~

117

118 ~~(1)(B)(iv)(b) one appellate court judge;~~

119

120 ~~(1)(B)(iv)(c) the state court administrator;~~

121

122 ~~(1)(B)(iv)(d) a trial court executive;~~

123

124 ~~(1)(B)(iv)(e) two business people with experience in the construction or~~  
125 ~~financing of facilities;~~

126

127 ~~(1)(B)(iv)(f) the court security director; and~~

128

129 ~~(1)(B)(iv)(g) two community representatives who are knowledgeable~~  
130 ~~about the needs of self-represented litigants.~~

131

132 (1)(B)(iv) The **Committee on Children and Family Law** performs the duties  
133 described in Rule 4-908 and will consist of:  
134

135 (1)(B)(iv)(a) one Senator appointed by the President of the Senate;  
136

137 (1)(B)(iv)(b) the Director of the Department of Health and Human  
138 Services or designee;  
139

140 (1)(B)(iv)(c) one attorney of the Executive Committee of the Family Law  
141 Section of the Utah State Bar;  
142

143 (1)(B)(iv)(d) one attorney with experience in abuse, neglect and  
144 dependency cases;  
145

146 (1)(B)(iv)(e) one attorney with experience representing parents in abuse,  
147 neglect and dependency cases;  
148

149 (1)(B)(iv)(f) one representative of a child advocacy organization;  
150

151 (1)(B)(iv)(g) the ADR Program Director or designee;  
152

153 (1)(B)(iv)(h) one professional in the area of child development;  
154

155 (1)(B)(iv)(i) one mental health professional;  
156

157 (1)(B)(iv)(j) two community representatives who are knowledgeable about  
158 the needs of self-represented litigants;  
159

160 (1)(B)(iv)(k) the Director of the Office of Guardian ad Litem or designee;  
161

162 (1)(B)(iv)(l) the Director of the Self-Help Center and Law Library or  
163 designee;  
164

165 (1)(B)(iv)(~~l~~m) one court commissioner;  
166

167 (1)(B)(iv)(~~m~~n) two district court judges; and  
168

169 (1)(B)(iv)(~~n~~o) two juvenile court judges.  
170

171 (1)(B)(iv)(~~o~~p) One of the district court judges and one of the juvenile court  
172 judges will serve as co-chairs to the committee. In its discretion, the  
173 committee may appoint non-members to serve on its subcommittees.  
174

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 219
- 220 (1)(B)(vii)(g) one probation officer;
- 221
- 222 (1)(B)(vii)(h) one prosecuting attorney;
- 223
- 224 (1)(B)(vii)(i) one defense attorney;
- 225
- 226 (1)(B)(vii)(j) two certified interpreters;
- 227
- 228 (1)(B)(vii)(k) one approved interpreter;
- 229
- 230 (1)(B)(vii)(l) one expert in the field of linguistics;
- 231
- 232 (1)(B)(vii)(m) one American Sign Language representative; and
- 233
- 234 (1)(B)(vii)(n) two community representatives who are knowledgeable
- 235 about the needs of self-represented litigants.
- 236
- 237 (1)(B)(viii) The **Guardian ad Litem Oversight Committee** performs the duties
- 238 described in Rule 4-906 and will consist of:
- 239
- 240 (1)(B)(viii)(a) seven members appointed by the Judicial Council, including:
- 241 ~~with experience in the administration of law and public services selected~~
- 242 ~~from public, private and non-profit organizations.~~
- 243
- 244 (1)(B)(vii)(a)(i) a current or former juvenile court judge;
- 245
- 246 (1)(B)(vii)(a)(ii) an attorney with experience representing parents
- 247 in child welfare cases;
- 248
- 249 (1)(B)(vii)(a)(iii) an attorney with experience representing the
- 250 Division of Child and Family Services in child welfare cases;
- 251
- 252 (1)(B)(vii)(a)(iv) a behavioral or mental health clinical provider with
- 253 experience working with families involved in child welfare cases;
- 254
- 255 (1)(B)(vii)(a)(v) an individual with experience working with or
- 256 advocating for youth in foster care;
- 257
- 258 (1)(B)(vii)(a)(vi) an individual with lived experience as a parent
- 259 involved with the child welfare system; and
- 260
- 261 (1)(B)(vii)(a)(vii) an individual with lived experience as a child or
- 262 youth involved with the child welfare system;

263 (1)(B)(vii)(b) two members appointed by the Administrative Office,  
264 including:  
265  
266 (1)(B)(vii)(b)(i) a current or former court administrator; and  
267  
268 (1)(B)(vii)(b)(ii) a current internal court auditor;  
269  
270 (1)(B)(vii)(c) a member of the Senate, whom the president of the Senate  
271 appoints;  
272  
273 (1)(B)(vii)(d) a member of the House of Representatives, whom the  
274 speaker of the House of Representatives appoints; and  
275  
276 (1)(B)(vii)(e) the guardian ad litem director or the director's designee.  
277

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

- 280  
281 (1)(B)(~~ix~~viii)(a) two district court judges;  
282  
283 (1)(B)(~~ix~~viii)(b) four lawyers who primarily represent plaintiffs;  
284  
285 (1)(B)(~~ix~~viii)(c) four lawyers who primarily represent defendants; and  
286  
287 (1)(B)(~~ix~~viii)(d) one person skilled in linguistics or communication.  
288

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

- 291  
292 (1)(B)(ix)(a) two district court judges;  
293  
294 (1)(B)(ix)(b) one justice court judge;  
295  
296 (1)(B)(ix)(c) four prosecutors;  
297  
298 (1)(B)(ix)(d) four defense counsel; and  
299  
300 (1)(B)(ix)(e) one person skilled in linguistics or communication.  
301

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

- 304  
305 (1)(B)(xi)(a) two district court judges;  
306

- 307 (1)(B)(xi)(b) one court commissioner;  
308  
309 (1)(B)(xi)(c) one juvenile court judge;  
310  
311 (1)(B)(xi)(d) one justice court judge;  
312  
313 (1)(B)(xi)(e) one court clerk;  
314  
315 (1)(B)(xi)(f) one appellate court staff attorney;  
316  
317 (1)(B)(xi)(g) one representative from the Self-Help Center;  
318  
319 (1)(B)(xi)(h) the State Law Librarian;  
320  
321 (1)(B)(xi)(i) the district court administrator or designee;  
322  
323 (1)(B)(xi)(j) one representative from a legal service organization that  
324 serves low-income clients;  
325  
326 (1)(B)(xi)(k) one paralegal;  
327  
328 (1)(B)(xi)(l) one educator from a paralegal program or law school;  
329  
330 (1)(B)(xi)(m) one person skilled in linguistics or communication;  
331  
332 (1)(B)(xi)(n) one representative from the Utah State Bar;  
333  
334 (1)(B)(xi)(o) the Licensed Paralegal Practitioner (LPP) administrator; and  
335  
336 (1)(B)(xi)(p) two community representatives who are knowledgeable  
337 about the needs of the self-represented litigants.  
338

339 (1)(B)(xii) The **Committee on Fairness and Accountability** performs the duties  
340 described in Rule 3-420. The committee will include members who demonstrate  
341 an interest in or who have experience with issues of diversity, equity, and  
342 inclusion and will consist of:

- 343  
344 (1)(B)(xii)(a) one district court judge;  
345  
346 (1)(B)(xii)(b) one juvenile court judge;  
347  
348 (1)(B)(xii)(c) one justice court judge;  
349  
350 (1)(B)(xii)(d) one appellate court judge;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1)(B)(xiii)(b)(ii) one representative from Disability Law Center;

(1)(B)(xiii)(b)(iii) one representative from Adult and Aging Services;

(1)(B)(xiii)(b)(iv) one representative from Office of Public Guardian;

(1)(B)(xiii)(b)(v) one representative from the Utah State Bar;

- 395  
396 (1)(B)(xiii)(b)(vi) one representative from Office of the Attorney  
397 General;  
398  
399 (1)(B)(xiii)(b)(vii) one representative from the Utah legislature;  
400  
401 (1)(B)(xiii)(b)(viii) one representative from the Utah Commission  
402 on Aging;  
403  
404 (1)(B)(xiii)(b)(ix) one representative from Utah Legal Services; and  
405  
406 (1)(B)(xiii)(b)(x) the Long-Term Care Ombudsman or designee.  
407  
408 (1)(B)(xiii)(c) **Individual community** representatives. Three or more  
409 community stakeholders representing:  
410  
411 (1)(B)(xiii)(c)(i) mental health community;  
412  
413 (1)(B)(xiii)(c)(ii) medical community;  
414  
415 (1)(B)(xiii)(c)(iii) private legal community that specializes in  
416 guardianship matters;  
417  
418 (1)(B)(xiii)(c)(iv) aging-adult services community;  
419  
420 (1)(B)(xiii)(c)(v) educator from a legal program or law school;  
421  
422 (1)(B)(xiii)(c)(vi) organization serving low-income, minorities, or  
423 marginalized communities;  
424  
425 (1)(B)(xiii)(c)(vii) citizens under or involved in guardianship; and  
426  
427 (1)(B)(xiii)(c)(viii) other organizations with a focus including, but  
428 not limited to guardianship, aging, legal services, or disability.  
429  
430 (1)(B)(xiii)(v) The **Tribal Liaison Committee** performs the duties described  
431 in Rule 3-422 and will consist of:  
432  
433 (1)(B)(xiii)(v)(a) one district court judge;  
434  
435 (1)(B)(xiii)(v)(b) one juvenile court judge;  
436  
437 (1)(B)(xiii)(v)(c) one justice court judge;  
438

- 439 (1)(B)(xiii)(d) one appellate court judge;  
440  
441 (1)(B)(xiii)(e) one federal district court judge or magistrate;  
442  
443 (1)(B)(xiii)(f) one tribal court judge;  
444  
445 (1)(B)(xiii)(g) two representatives of Utah's Indian Tribes or  
446 affiliated community groups;  
447  
448 (1)(B)(xiii)(h) the Tribal Liaison;  
449  
450 (1)(B)(xiii)(i) one trial court executive;  
451  
452 (1)(B)(xiii)(j) one clerk of court or designee;  
453  
454 (1)(B)(xiii)(k) one representative from the Utah State Bar Indian  
455 Law Section;  
456  
457 (1)(B)(xiii)(l) one representative from the United States Attorney's  
458 Office;  
459  
460 (1)(B)(xiii)(m) one representative from the Indigent Defense  
461 Commission; and  
462  
463 (1)(B)(xiii)(n) one representative from the Guardian ad Litem's  
464 Office.  
465

466 (1)(C) **Standing committee meetings and chairs.** The Council will designate the chair  
467 of each standing committee. Standing committees will meet as necessary to accomplish  
468 their work. Except for the Committee on Fairness and Accountability, Council members  
469 may not serve, participate or vote on standing committees. Standing committees may  
470 invite participation by others as they deem advisable, but only members designated by  
471 this rule may make motions and vote. All members designated by this rule may make  
472 motions and vote unless otherwise specified. Standing committees may form  
473 subcommittees as they deem advisable.  
474

475 (1)(D) **Committee performance review.** [This subsection \(1\)\(D\) does not apply to the](#)  
476 [Guardian ad Litem Oversight Committee.](#)  
477

478 (1)(D)(i) **Council.** Standing committees will report to the Council as necessary,  
479 but at least annually.  
480

481 (1)(D)(ii) **Committee assessment.** At least once every three years, the chair of  
482 each standing committee will conduct a performance assessment. Chairs should,  
483 at a minimum, consider:

484  
485 (1)(D)(iii)(a) whether there is a more efficient way to accomplish the  
486 committee's work;

487  
488 (1)(D)(iii)(b) whether there are any redundancies that would allow for  
489 consolidation with other committees or working groups; and

490  
491 (1)(D)(iii)(c) whether the committee continues to serve its purpose or  
492 could be dissolved.

493  
494 (1)(D)(iii) **Management Committee.** Committee chairs will report the results of  
495 the performance assessment in paragraph (1)(D)(ii) to the Management  
496 Committee. If the Management Committee determines that the committee  
497 continues to serve its purpose, the Management Committee will recommend to  
498 the Council that the committee continue. If the Management Committee  
499 determines that modification of a committee is warranted, it may so recommend  
500 to the Council.

501  
502 (1)(~~ED~~)(iv) **Guardian ad Litem Oversight Committee.** The Guardian ad Litem  
503 Oversight Committee ~~is recognized by Utah Code section 78A-2-104,~~ will meet at least  
504 quarterly and will not terminate or be dissolved. Meetings will be conducted in accordance  
505 with Utah Code section 78A-2-104.5(6). On or before November 1<sup>st</sup> of each year, the  
506 committee will provide an annual report to the Council regarding the committee's  
507 activities, findings, and recommendations.

508  
509 (2) **Ad hoc committees.** The Council may form ad hoc committees or task forces to consider  
510 topical issues outside the scope of the standing committees and to recommend rules or  
511 resolutions concerning such issues. The Council may set and extend a date for the termination  
512 of any ad hoc committee. The Council may invite non-Council members to participate and vote  
513 on ad hoc committees. Ad hoc committees will keep the Council informed of their activities. Ad  
514 hoc committees may form sub-committees as they deem advisable. Ad hoc committees will  
515 disband upon issuing a final report or recommendation(s) to the Council, upon expiration of the  
516 time set for termination, or upon the order of the Council.

517  
518 (3) **General provisions.**

519  
520 (3)(A) **Appointment process.**

521  
522 (3)(A)(i) **Administrator's responsibilities.** The state court administrator will  
523 select a member of the administrative staff to serve as the administrator for

524 committee appointments. Except as otherwise provided in this rule, the  
525 administrator will:

526  
527 (3)(A)(i)(a) announce expected vacancies on standing committees two  
528 months in advance and announce vacancies on ad hoc committees in a  
529 timely manner;

530  
531 (3)(A)(i)(b) for new appointments, obtain an indication of willingness to  
532 serve from each prospective appointee and information regarding the  
533 prospective appointee's present and past committee service;

534  
535 (3)(A)(i)(c) for reappointments, obtain an indication of willingness to serve  
536 from the prospective reappointee, the length of the prospective  
537 reappointee's service on the committee, the attendance record of the  
538 prospective reappointee, the prospective reappointee's contributions to  
539 the committee, and the prospective reappointee's other present and past  
540 committee assignments; and

541  
542 (3)(A)(i)(d) present a list of prospective appointees and reappointees to  
543 the Council and report on recommendations received regarding the  
544 appointment of members and chairs.

545  
546 (3)(A)(ii) **Council's responsibilities.** The Council will appoint the chair of each  
547 committee. Whenever practical, appointments will reflect geographical, gender,  
548 cultural, and ethnic diversity.

549  
550 (3)(B) **Terms.** Except as otherwise provided in this rule, standing committee members  
551 will serve staggered three-year terms. Standing committee members may not serve  
552 more than two consecutive terms on a committee unless the Council determines that  
553 exceptional circumstances exist which justify service of more than two consecutive  
554 terms.

555  
556 (3)(C) **Expenses.** Members of standing and ad hoc committees may receive  
557 reimbursement for actual and necessary expenses incurred in the execution of their  
558 duties as committee members. [Members of the Guardian ad Litem Oversight Committee](#)  
559 [will be compensated in accordance with Utah Code section 78A-2-104.5.](#)

560  
561 (3)(D) **Secretariat.** The Administrative Office will serve as secretariat to the Council's  
562 committees.

563  
564 *Effective: ~~7/1/2025~~ [May 18, 2026](#)*

1 ~~Rule 4-906. Guardian ad litem program.~~

2 ~~Intent:~~

3 ~~To establish:~~

4 ~~(1) the responsibilities of the Guardian ad Litem Oversight Committee ("Committee");~~

5 ~~(2) the policies and procedures for the management of the guardian ad litem ("GAL")~~  
6 ~~program;~~

7 ~~(3) the policies and procedures for the selection of GALs;~~

8 ~~(4) the policies and procedures for payment for GAL services; and~~

9 ~~(5) the policies and procedures for complaints regarding GALs and volunteers.~~

10 ~~Applicability:~~

11 ~~This rule applies to the management of the GAL program. This rule does not affect the authority~~  
12 ~~of the Utah State Bar to discipline a GAL.~~

13 ~~Statement of the Rule:~~

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

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

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

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

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

21 ~~(1)(C) select the Director of the Office ("Director") in consultation with the Administrative~~  
22 ~~Office;~~

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

24 ~~(1)(E) monitor the Office's caseload and recommend to the Council adequate staffing of~~  
25 ~~GALs and staff;~~

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

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

29 ~~(2) Qualifications of the Director. The Director will have the qualifications provided in the Utah~~  
30 ~~Code.~~

31 ~~(3) Responsibilities of the Director. In addition to responsibilities under the Utah Code, the~~  
32 ~~Director will have the following responsibilities:~~

- 33 ~~{3}(A) manage the Office to ensure that minors who have been appointed a GAL by the~~  
 34 ~~court receive qualified GAL services;~~
- 35 ~~{3}(B) develop the budget appropriation request to the legislature for the GAL program;~~
- 36 ~~{3}(C) coordinate the appointments of GALs among different levels of courts;~~
- 37 ~~{3}(D) monitor the services of the GALs, staff, and volunteers by regularly consulting with~~  
 38 ~~users and observers of GAL services, including judges, court executives and clerks, and~~  
 39 ~~by requiring the submission of appropriate written reports from the GAL;~~
- 40 ~~{3}(E) monitor attorney GAL caseloads to ensure compliance with standards established~~  
 41 ~~by the American Bar Association;~~
- 42 ~~{3}(F) select GALs and staff for employment as provided in this rule, select volunteers,~~  
 43 ~~and coordinate appointment of conflict counsel;~~
- 44 ~~{3}(G) supervise, evaluate, and discipline GALs and staff employed by the courts and~~  
 45 ~~volunteers;~~
- 46 ~~{3}(H) supervise and evaluate the quality of service provided by GALs under contract~~  
 47 ~~with the court;~~
- 48 ~~{3}(I) monitor and report to the Committee GAL, staff, and volunteer compliance with~~  
 49 ~~federal and state statutes, rules, and case law; and~~
- 50 ~~{3}(J) prepare and submit to the Committee in October an annual report regarding the~~  
 51 ~~development, policy, and management of the GAL program and the training and~~  
 52 ~~evaluation of GALs, staff, and volunteers. The Committee may amend the report prior to~~  
 53 ~~release to the Legislative Interim Human Services Committee.~~
- 54 ~~**(4) Qualification and responsibilities of GALs.** A GAL will be admitted to the practice of law in~~  
 55 ~~Utah and will demonstrate experience and interest in the applicable law and procedures. The~~  
 56 ~~GAL will have the responsibilities established in the Utah Code.~~
- 57 ~~**(5) Selection of GAL for employment.**~~
- 58 ~~{5}(A) A GAL employed by the Administrative Office is an at will employee subject to~~  
 59 ~~dismissal by the Director with or without cause.~~
- 60 ~~{5}(B) A GAL employed by the Administrative Office will be selected by the Director. Prior~~  
 61 ~~to the Director's selection, a panel will interview applicants and make hiring~~  
 62 ~~recommendations to the Director. The interview panel will consist of the Director (or~~  
 63 ~~Director's designee) and two or more of the following persons:~~
- 64 ~~{5}(B)(i) the managing attorney of the local GAL office;~~
- 65 ~~{5}(B)(ii) the Court Executive of the district court or juvenile court;~~
- 66 ~~{5}(B)(iii) a member of the Committee;~~
- 67 ~~{5}(B)(iv) a member of the Utah State Bar Association selected by the Director; or~~

**Commented [KW1]:** Lines 1-53 are covered in replacement rule 4-906

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

69 ~~**(6) Conflicts of interest and disqualification of GAL.**~~

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

76 ~~(6)(B) The Administrative Office may contract with attorneys to provide conflict GAL~~  
 77 ~~services.~~

78 ~~(6)(C) If the conflict GAL is arranged on a case-by-case basis, the court will use the~~  
 79 ~~order form approved by the Council. The order will include a list of the duties of a GAL.~~  
 80 ~~The court will file the original order in the case and will distribute one copy each to: the~~  
 81 ~~appointed conflict GAL; the GAL; all parties of record; the parents, guardians or~~  
 82 ~~custodians of the child(ren); the Court Executive; and the Director.~~

83 ~~(6)(D) A conflict GAL's compensation will not exceed \$100 per hour or \$3,000 per case~~  
 84 ~~in any twelve-month period, whichever is less. The per-case compensation limit includes~~  
 85 ~~incidental expenses incurred in the case. Under extraordinary circumstances, the~~  
 86 ~~Director may increase the compensation limit upon request from the conflict GAL. The~~  
 87 ~~request will include justification showing that the case required work of much greater~~  
 88 ~~complexity than, or time far in excess of, that required in most GAL assignments. If a~~  
 89 ~~case is appealed, compensation will be as set forth above.~~

90 ~~**(7) Staff and volunteers.**~~

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

94 ~~(7)(B) Training for staff and volunteers will be conducted under the supervision of the~~  
 95 ~~attorney GAL with administrative support provided by the Director. Staff and volunteers~~  
 96 ~~will receive training in the areas of child abuse, child psychology, juvenile and district~~  
 97 ~~court procedures, and local child welfare agency procedures. Staff and volunteers will be~~  
 98 ~~trained in the guidelines established by the National Court Appointed Special Advocate~~  
 99 ~~Association.~~

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

101 ~~(8)(A) **List.** The Director will maintain a list of PGALs qualified for appointment.~~

102 ~~(8)(B) **Application.** To be included on the list of eligible PGALs, applicants must submit~~  
 103 ~~a written application to the Office and:~~

104 ~~(8)(B)(i) be a member in good standing in the Utah State Bar;~~

Commented [KW2]: Lines 54-99 are covered under Rule 4-906.01

- 105 ~~(8)(B)(ii) provide a Bureau of Criminal Identification criminal history report;~~
- 106 ~~(8)(B)(iii) provide a Utah Division of Child and Family Services child abuse~~  
107 ~~database report and similar information from any state in which the applicant has~~  
108 ~~resided as an adult;~~
- 109 ~~(8)(B)(iv) provide a certificate of completion for any initial or additional necessary~~  
110 ~~training requirements established by the Director;~~
- 111 ~~(8)(B)(v) agree to perform in a competent, professional, proficient, ethical, and~~  
112 ~~appropriate manner;~~
- 113 ~~(8)(B)(vi) meet any minimum qualifications as determined by the Director; and~~
- 114 ~~(8)(B)(vii) agree to be evaluated at the discretion of the Director for competent,~~  
115 ~~professional, proficient, ethical, appropriate conduct, and/or performance, and~~  
116 ~~minimum qualifications.~~
- 117 ~~(8)(C) **Appointment.** Upon the appointment by the court of a PGAL, the court will:~~
- 118 ~~(8)(C)(i) use the following language in its order: "The Court appoints a private~~  
119 ~~attorney guardian ad litem to be assigned by the Office of Guardian ad Litem, to~~  
120 ~~represent the best interests of the minor child(ren) in this matter.";~~
- 121 ~~(8)(C)(ii) designate in the order whether the PGAL will:~~
- 122 ~~(8)(C)(ii)(a) be paid the set fee, as established by paragraph (8)(F), and~~  
123 ~~an initial retainer;~~
- 124 ~~(8)(C)(ii)(b) not be paid and serve pro bono; or~~
- 125 ~~(8)(C)(ii)(c) be paid at a rate less than the set fee in paragraph (8)(F); and~~
- 126 ~~(8)(C)(iii) send the order to the Director c/o the Private Attorney Guardian ad~~  
127 ~~Litem Program.~~
- 128 ~~(8)(D) **Assignment.** Upon receipt of the court's order appointing a PGAL, the Director~~  
129 ~~will contact and assign the case to an eligible attorney, if available.~~
- 130 ~~(8)(E) **Notice of appearance and representation.** Upon accepting the court's~~  
131 ~~appointment, the assigned attorney will file a notice of appearance with the court within~~  
132 ~~five business days of acceptance, and will thereafter represent the best interests of the~~  
133 ~~minor(s) until released by the court.~~
- 134 ~~(8)(F) **Fees.** The hourly fee to be paid by the parties and to be ordered and apportioned~~  
135 ~~by the court against the parties will be \$150.00 per hour or a higher rate determined~~  
136 ~~reasonable by the court. The retainer amount will be \$1,000 or a different amount~~  
137 ~~determined reasonable by the court. The retainer amount will be apportioned by the~~  
138 ~~court among the parties and paid by the parties.~~

139 ~~(8)(G) **Education.** Each year, PGALs must complete three hours of continuing legal~~  
 140 ~~education (CLE) relevant to the role and duties of a PGAL. To meet this requirement, the~~  
 141 ~~Office will provide training opportunities that are accredited by the Utah State Bar Board~~  
 142 ~~of Mandatory Continuing Legal Education. In order to provide access to all PGALs, the~~  
 143 ~~Office will provide multiple trainings at locations throughout the State or online.~~

144 ~~(8)(H) **Removal.**~~

145 ~~(8)(H)(i) A PGAL who fails to complete the required number of CLE hours will be~~  
 146 ~~notified that unless all requirements are completed and reported within 30 days,~~  
 147 ~~the Director may remove the PGAL from the list of eligible PGALs.~~

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

156 ~~(9) **Complaints and appeals.**~~

157 ~~(9)(A) **Complaints against Director or administrative policies.** Complaints against the~~  
 158 ~~Director or an administrative policy or procedure must be submitted to the chair of the~~  
 159 ~~Committee. Complaints submitted to the Director's office must be sent to the Committee~~  
 160 ~~chair within a reasonable period of time, but not more than 14 days after receipt. If~~  
 161 ~~deemed necessary, the Committee may recommend to the Council that the Director be~~  
 162 ~~disciplined.~~

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

164 ~~(9)(B)(i) Complaints against a GAL employed by the Office, a PGAL, or a~~  
 165 ~~volunteer, as defined in Utah Code section 78A-6-207, must be submitted to the~~  
 166 ~~Director. The decision of the Director regarding the complaint is final and not~~  
 167 ~~subject to appeal.~~

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

172 ~~(9)(B)(iii) The failure of the Director to satisfactorily resolve a complaint against a~~  
 173 ~~GAL, PGAL, or volunteer is not grounds for a complaint against the Director.~~

174 ~~(9)(C) **Complaint submission.** A complaint must be in writing and include:~~

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

Commented [KW3]: Lines 100-155 are covered under 4-906.02

176 ~~(9)(C)(ii) the name of the child(ren) involved; and~~  
177 ~~(9)(C)(iii) the facts upon which the complaint is based in sufficient detail to inform the~~  
178 ~~Committee or the Director of the nature and date of the alleged misconduct.~~  
179 ~~(9)(D) **Investigation.** In resolving a complaint, the Director or Committee will conduct an~~  
180 ~~investigation as determined by the Director or Committee to be reasonable. The Director~~  
181 ~~or Committee may meet separately or together with the complainant and the person~~  
182 ~~against whom the complaint is filed.~~  
183 ~~(9)(E) **Decision.** The decision of the Director may include discipline of the person~~  
184 ~~against whom the complaint is filed. If the complaint is against a PGAL, the decision may~~  
185 ~~include removal of the PGAL from the list of PGALs and the conditions for reinstatement.~~  
186 ~~(9)(F) **Applicability.** Paragraph (9) does not apply to conflict GALs.~~  
187 **Effective: 5/1/2026**

**Commented [KW4]:** Lines 156-186 are covered under 4-906.03

1 **Rule 4-906. Guardian ad litem Office, Oversight Committee, and Director**

2 **Intent:**

3 To establish the responsibilities of the Guardian ad Litem Oversight Committee (“Committee”)  
4 and the Director of the Office of Guardian ad Litem (“Director”).

5 **Applicability:**

6 This rule applies to the Committee, the Director, the Office of Guardian ad Litem (“Office”), and  
7 the guardian ad litem (“GAL”) program (“Program”).

8 **Statement of the Rule:**

9 **(1) Guardian ad Litem Oversight Committee.** Under the Council's direct supervision, the  
10 Committee must:

11 (1)(A) perform the duties established in Utah Code;

12 (1)(B) appoint the Director of the Office in accordance with procedures established by  
13 the Council;

14 (1)(C) develop the Director's performance plan and conduct performance evaluations in  
15 accordance with policies approved by the Council;

16 (1)(D) hear and decide complaints against the Director, a GAL, a trained Program  
17 volunteer, as described in Utah Code section 78A-2-803 (“Volunteer”), or a private  
18 guardian ad litem (PGAL) in accordance with Rule 4-906.03;

19 (1)(E) monitor the Office's caseload and recommend to the Council adequate staffing  
20 levels for GALs and Program staff (“Staff”);

21 (1)(F) ensure policies, requirements, and guidelines established by the Committee  
22 comply with this Code, the Utah rules of procedure, and court policies; and

23 (1)(G) provide an annual report to the Council in accordance with Rule 1-205 that  
24 includes the Committee's evaluation and assessment of the Program.

25 **(2) Case and record reviews.**

26 (2)(A) “GAL Records” means court records to which GALs are authorized access under  
27 Rule 4-202.03 and the Utah rules of procedure. Requests to access court records that  
28 GALs are not entitled to access must be made in accordance with this Code and the  
29 Utah rules of procedure.

30 (2)(B) The internal court auditor member of the Committee will generate the annual  
31 random sample of cases the Committee reviews using criteria established by the  
32 Committee. The sample must be limited to cases that have reached final disposition and  
33 are no longer pending or impending before any court. The case and record review  
34 process must comply with this Code and the Utah rules of procedure.

35 (2)(C) The Committee must establish procedures to ensure the Committee's review of  
36 individual cases and GAL Records will not interfere with a fair trial or hearing or affect  
37 the outcome or impair the fairness of a pending or impending matter.

38 (2)(D) The procedures established in paragraph (2)(C) must be approved by the Council.

39 (2) **Qualifications of the director.** The Director must have the qualifications established in Utah  
40 Code.

41 (3) **Responsibilities of the director.** The Director must:

42 (3)(A) perform the duties established in Utah Code;

43 (3)(B) develop the legislative budget appropriation request for the Program;

44 (3)(C) coordinate GAL appointments among different court levels;

45 (3)(D) monitor GALs, Staff, and Volunteers by regularly consulting with users and  
46 observers of GAL services, including judges, court executives, and court clerks;

47 (3)(E) require GALs to submit appropriate written reports;

48 (3)(F) monitor GAL caseloads to ensure compliance with standards established by the  
49 American Bar Association;

50 (3)(G) select Volunteers and court-employed GALs and Staff in accordance with Rule 4-  
51 906.01;

52 (3)(H) coordinate conflict counsel appointments;

53 (3)(I) supervise, evaluate, and discipline court-employed GALs and Staff in accordance  
54 with this Code and the judiciary's human resource policies;

55 (3)(J) supervise and evaluate the quality of service provided by contracted GALs;

56 (3)(K) monitor and report to the Committee GAL, Staff, and Volunteer compliance with  
57 federal and state statutes, rules, and case law; and

58 (3)(L) prepare and submit the annual report required under the Utah Code to the Council  
59 and the Committee in October. The Committee may amend the report prior to release to  
60 the Child Welfare Legislative Oversight Panel.

61 Effective: May 18, 2026

1 **Rule 4-906.01. GALs, staff, and volunteers**

2 **Intent:**

3 To establish the policies and procedures for the selection, employment, and management of  
4 Volunteers and GALs and Staff employed by the Administrative Office.

5 **Applicability:**

6 This rule applies to the Office and Program.

7 **Statement of the Rule:**

8 **(1) GAL qualification and responsibilities.** A GAL must:

9 (1)(A) be a member in good standing with the Utah State Bar;

10 (1)(B) demonstrate experience and interest in applicable law and procedures;

11 (1)(C) perform the duties and responsibilities established in the Utah Code; and

12 (1)(D) comply with all court rules and policies.

13 **(2) Selection and employment.**

14 (2)(A) GALs and Staff employed by the Administrative Office are at-will employees  
15 subject to dismissal by the Director with or without cause.

16 (2)(B) The Director must select, supervise, and discipline GALs and Staff in accordance  
17 with this Code and the judiciary's human resource policies.

18 (2)(C) GAL and Staff applicants will be interviewed by a panel consisting of the Director  
19 or the Director's designee and two or more of the following persons:

20 (2)(C)(i) the local GAL office managing attorney;

21 (2)(C)(ii) the district court or juvenile court executive;

22 (2)(C)(iii) a Committee member;

23 (2)(C)(iv) a Utah State Bar Association member selected by the Director; or

24 (2)(C)(v) an individual selected by the Director.

25 (2)(D) The interview committee established under paragraph (2)(C) will make hiring  
26 recommendations to the Director. The Director will make hiring decisions.

27 **(3) Conflicts of interest and disqualification.**

28 (3)(A) If a GAL has a conflict of interest, the GAL must declare the conflict and request  
29 that the court appoint a conflict GAL.

30 (3)(B) Any party who perceives a conflict of interest may file a motion with the court  
31 setting forth the nature of the conflict and a request that the GAL be disqualified from  
32 further service in that case.

33 (3)(C) If a court finds that a conflict of interest exists, the court will relieve the GAL from  
34 further duties in that case and appoint a conflict GAL.

35 (3)(D) The Administrative Office may contract with an attorney to provide conflict GAL  
36 services.

37 (3)(E) If a conflict GAL is arranged on a case-by-case basis, the court will use the order  
38 form approved by the Council. The order will list the GAL's duties. The court will file the  
39 original order in the case and will distribute one copy each to:

40 (3)(E)(i) the appointed conflict GAL;

41 (3)(E)(ii) the GAL;

42 (3)(E)(iii) all parties of record;

43 (3)(E)(iv) the parents, guardians, or custodians of the child(ren);

44 (3)(E)(v) the court executive; and

45 (3)(E)(vi) the Director.

46 (3)(F) A conflict GAL's compensation may not exceed \$100 per hour or \$3,000 per case  
47 in any 12-month period, whichever is less. The per case compensation limit includes  
48 incidental expenses incurred in the case.

49 (3)(G) Under extraordinary circumstances, the Director may increase the compensation  
50 limit upon request from the conflict GAL. The request will include a justification showing  
51 that the case required work of much greater complexity than, or time far in excess of,  
52 that required in most GAL assignments. If a case is appealed, compensation will be as  
53 set forth above.

54 (3)(H) A conflict GAL is not an Office or Administrative Office employee.

55 **(4) Staff and Volunteers.**

56 (4)(A) The Director will develop a strong Volunteer component to the Program and  
57 provide support for Volunteer solicitation, screening, and training. Staff and Volunteer  
58 responsibilities will be as established by the Director and set forth in Utah Code.

59 (4)(B) A GAL must supervise Staff and Volunteer training. The Director will provide  
60 administrative support.

61 (4)(C) Staff and Volunteers will receive training in the areas of child abuse, child  
62 psychology, juvenile and district court procedures, and local child welfare agency  
63 procedures. Staff and Volunteers will also be trained in guidelines established by the  
64 National Court Appointed Special Advocate Association.

65 (4)(D) Volunteers serve at the pleasure of the Director.

66 Effective: May 18, 2026

1 **Rule 4-906.02. Private GALs**

2 **Intent:**

3 To establish the policies and procedures for the selection, appointment, and payment of private  
4 GALs ("PGALs").

5 **Applicability:**

6 This rule applies to the Office and PGALs.

7 **Statement of the Rule:**

8 (1) **List.** The Director must maintain a list of PGALs qualified for appointment.

9 (2) **Application.** To be included on the list of eligible PGALs, an applicant must submit a written  
10 application to the Office and:

11 (2)(A) be a member in good standing in the Utah State Bar;

12 (2)(B) provide a Bureau of Criminal Identification criminal history report;

13 (2)(C) provide a Utah Division of Child and Family Services child abuse database report  
14 and similar information from any state in which the applicant has resided as an adult;

15 (2)(D) provide a certificate of completion for initial or additional necessary training  
16 requirements established by the Director;

17 (2)(E) meet any minimum qualifications as determined by the Director; and

18 (2)(F) agree to be evaluated at the Director's discretion for competent, professional,  
19 proficient, ethical, appropriate conduct, performance, and minimum qualifications,  
20 including tracking the frequency and type of interactions with minor clients.

21 (3) **Appointment.** Upon the appointment of a PGAL, the court will:

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

25 (3)(B) designate in the order whether the PGAL will:

26 (3)(B)(i) be paid the set fee, as established by paragraph (6), and an initial  
27 retainer;

28 (3)(B)(ii) not be paid and serve pro bono; or

29 (3)(B)(iii) be paid at a rate less than the set fee in paragraph (6); and

30 (3)(C) send the order to the Director c/o the PGAL Program.

31 (4) **Assignment.** Upon receipt of the court's order appointing a PGAL, the Director will contact  
32 and assign the case to an eligible attorney, if available.

33 (5) Notice of appearance and representation. On accepting the court's appointment, the  
34 assigned attorney must file a notice of appearance with the court within five business days of  
35 acceptance and will thereafter represent the best interests of the minor(s) until released by the  
36 court.

37 (6) Fees. The hourly fee to be paid by the parties and to be ordered and apportioned by the  
38 court against the parties will be \$150.00 per hour or a higher rate determined reasonable by the  
39 court. The retainer amount is \$1,000 or a different amount determined reasonable by the court.  
40 The retainer amount will be apportioned by the court among the parties and paid by the parties.

41 (7) Education. Each year, PGALs must complete three hours of continuing legal education  
42 ("CLE") relevant to the role and duties of a PGAL. To meet this requirement, the Office will  
43 provide training opportunities that are accredited by the Utah State Bar Board of Mandatory  
44 Continuing Legal Education. In order to provide access to all PGALs, the Office will provide  
45 multiple trainings at locations throughout the State or online.

46 (8) Removal.

47 (8)(A) A PGAL who fails to complete the required number of CLE hours will be notified  
48 that unless all requirements are completed and reported within 30 days, the Director  
49 may remove the PGAL from the list of eligible PGALs.

50 (8)(B) The Director may remove a PGAL from the list of eligible PGALs for failure to  
51 perform or conduct themselves in a competent, professional, proficient, ethical, or  
52 appropriate manner, or for failure to meet minimum qualifications, including the annual  
53 CLE requirement. Within a reasonable time after the removal, and in the event the PGAL  
54 has not yet been released by the court in a pending case, the Director will provide  
55 written notice to the court of the Director's action, and the court may, in its discretion,  
56 determine whether the PGAL should be released from the case.

57 (9) A PGAL is not an Office or Administrative Office employee.

58 Effective: May 18, 2026

1 **Rule 4-906.03. Complaints**

2 **Intent:**

3 To establish the policies and procedures for complaints regarding GALs, PGALs, Volunteers,  
4 and the Director.

5 **Applicability:**

6 This rule applies to the Office and the Program.

7 **Statement of the Rule:**

8 **(1) Complaints against the Director or administrative policies.** A person may submit a  
9 complaint against the Director or an administrative policy or procedure to the Committee chair.

10 (1)(A) If a person submits a complaint against the Director to the Director's office, the  
11 Director must send the complaint to the Committee chair within a reasonable period of  
12 time, but not more than 14 days after receipt.

13 (1)(B) The Committee may investigate a complaint against the Director using a process  
14 approved by the Council.

15 (1)(C) If the Committee and state court administrator agree, the Director may be  
16 disciplined up to and including dismissal. If the Committee and the state court  
17 administrator do not agree on the disciplinary action or dismissal, the Council will make  
18 the final decision.

19 **(2) Complaints against a GAL or Volunteer.**

20 (2)(A) A person may submit a complaint against an employed GAL, a PGAL, or a  
21 Volunteer to the Director.

22 (2)(B) Upon receiving a complaint, the Director will conduct an investigation as  
23 determined reasonable by the Director. The Director may meet separately or together  
24 with the complainant and the person against whom the complaint is filed.

25 (2)(C) If the complainant is dissatisfied with the Director's resolution, the complainant  
26 may appeal the decision to the Committee. The appeal must be submitted in writing  
27 within 30 business days of receipt of the Director's decision and must include the initial  
28 complaint, the Director's decision, an argument in support of the appeal, and the relief  
29 sought.

30 (2)(D) The Committee will review the appeal and issue a decision in accordance with  
31 paragraph (4) within 45 business days of receipt. The Committee may discuss the matter  
32 with the Director and may meet separately or together with the complainant and the  
33 person against whom the complaint is filed but may not compel any individual to meet or  
34 speak with the Committee regarding the complaint.

35 (2)(E) If a GAL and a Volunteer disagree on the major decisions involved in  
36 representation of the client, either may notify the Director that the dispute cannot be  
37 resolved. The Director's decision regarding the dispute is final and not subject to appeal.

38 (2)(F) Under no circumstance may the Director, chair, or Committee interfere with a case  
39 or court matter. Review of and access to GAL Records and court records must comply  
40 with this Code and Rule 4-906(2).

41 **(3) Complaint form and submission.** Complaints submitted under paragraphs (1) and (2) must  
42 be in writing and include:

43 (3)(A) the name and contact information of the complainant;

44 (3)(B) the name of the child(ren) involved;

45 (3)(C) the facts upon which the complaint is based in sufficient detail to inform the  
46 Director or Committee of the nature and date of the alleged misconduct; and

47 (3)(D) when possible, supporting documentation.

48 **(4) Decision.** In resolving a complaint or appeal under paragraph (2), the Director or Committee  
49 may reasonably investigate the complaint, provided the investigation complies with this Code.

50 (4)(A) If the complaint is against an employed GAL, the Director may discipline the GAL  
51 in accordance with the judiciary's human resource policies. The Committee may  
52 recommend to the Director or the state court administrator that a GAL be disciplined but  
53 may not impose disciplinary action.

54 (4)(B) If the complaint is against a PGAL, the Director or Committee may remove a  
55 PGAL from the qualified list and the Director will notify the court in accordance with Rule  
56 4-906.02.

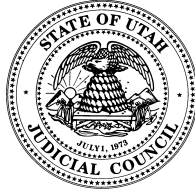
57 (4)(C) If the complaint is against a Volunteer, the Director or Committee may revoke the  
58 Volunteer's ability to participate in the Program.

59 (4)(D) Neither the Director nor the Committee have the authority to remove a GAL or  
60 PGAL from a case.

61 **(5) Office of professional conduct.** Nothing in this Rule prohibits the Director or a Committee  
62 member from reporting an attorney's conduct to the Utah Office of Professional Conduct.

63 **(6) Applicability.** Paragraphs (2) through (4) do not apply to conflict GALs.

64 *Effective: May 18, 2026*



# Administrative Office of the Courts

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

May 8, 2026

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

## MEMORANDUM

**TO:** Management Committee / Judicial Council  
**FROM:** Keisa Williams  
**RE:** Rule for Final Approval – Non-substantive amendments

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The proposed amendment to rule 3-111 is non-substantive. The title of the rule should have been amended when the rule was last updated. This change resolves that oversight.

PP&T recommends that rule 3-111 be adopted as final with a *May 18, 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 3-111. Performance evaluation of ~~active senior judges and~~ 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 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 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 will complete an evaluation.

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

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

23 **(2) Evaluation and certification criteria.** Court commissioners must be evaluated and certified  
24 upon the following criteria:

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

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

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

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

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

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

- 33 (2)(G) demonstration of courtesy toward attorneys, court staff, and others in the  
34 commissioner's court;
- 35 (2)(H) maintenance of decorum in the courtroom;
- 36 (2)(I) demonstration of judicial demeanor and personal attributes that promote public  
37 trust and confidence in the judicial system;
- 38 (2)(J) preparation for hearings or oral argument;
- 39 (2)(K) avoidance of impropriety or the appearance of impropriety;
- 40 (2)(L) display of fairness and impartiality toward all parties;
- 41 (2)(M) ability to clearly communicate, including the ability to explain the basis for written  
42 rulings, court procedures, and decisions;
- 43 (2)(N) management of workload;
- 44 (2)(O) willingness to share proportionally the workload within the court or district, or  
45 regularly accepting assignments;
- 46 (2)(P) issuance of opinions and orders without unnecessary delay; and
- 47 (2)(Q) ability and willingness to use the court's case management systems in all cases.

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

49 (3)(A) **Survey of attorneys.** The Council will measure satisfactory performance by a  
50 sample survey of the attorneys appearing before the court commissioner during the  
51 period for which the court commissioner is being evaluated. The Council will measure  
52 satisfactory performance based on the results of the final survey conducted during a  
53 court commissioner's term of office, subject to the discretion of a court commissioner  
54 serving an abbreviated initial term not to participate in a second survey under paragraph  
55 (3)(A)(v) of this rule.

56 (3)(A)(i) **Survey scoring.** The survey must be scored as follows:

57 (3)(A)(i)(a) Each question of the attorney survey will have six possible  
58 responses: Excellent, More Than Adequate, Adequate, Less Than  
59 Adequate, Inadequate, or No Personal Knowledge. A favorable response  
60 is Excellent, More Than Adequate, or Adequate.

61 (3)(A)(i)(b) Each question must be scored by dividing the total number of  
62 favorable responses by the total number of all responses, excluding the  
63 "No Personal Knowledge" responses. A satisfactory score for a question  
64 is achieved when the ratio of favorable responses is 70% or greater.

65 (3)(A)(i)(c) A court commissioner's performance is satisfactory if:

66 (3)(A)(i)(c)(1) at least 75% of the questions have a satisfactory  
67 score; and

68 (3)(A)(i)(c)(2) the favorable responses when divided by the total  
69 number of all responses, excluding "No Personal Knowledge"  
70 responses, is 70% or greater.

71 (3)(A)(ii) **Survey respondents.** The Administrative Office must identify as  
72 potential respondents all lawyers who have appeared before the court  
73 commissioner during the period for which the commissioner is being evaluated.

74 (3)(A)(iii) **Exclusion from survey respondents.** A lawyer who has been  
75 appointed as a judge or court commissioner must not be a respondent in the  
76 survey. A lawyer who is suspended or disbarred or who has resigned under  
77 discipline must not be a respondent in the survey.

78 (3)(A)(iv) **Number of survey respondents.** The Surveyor must identify 180  
79 respondents or all attorneys appearing before the court commissioner, whichever  
80 is less.

81 (3)(A)(v) **Administration of the survey.** Court commissioners will be the subject  
82 of a survey approximately six months prior to the expiration of their term of office.  
83 Court commissioners will be the subject of a survey during the second year of  
84 each term of office. Newly appointed court commissioners will be the subject of a  
85 survey during the second year of their term of office and, at their option,  
86 approximately six months prior to the expiration of their term of office.

87 (3)(A)(vi) **Survey report.** The Surveyor will provide to the subject of the survey,  
88 the subject's presiding judge(s), and the Council the number and percentage of  
89 respondents for each of the possible responses on each survey question and all  
90 comments, retyped and edited as necessary to redact the respondent's identity.

91 (3)(B) **Case under advisement standard.**

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

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

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

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

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

107 (3)(B)(iii) The Council will measure satisfactory performance by the self-  
108 declaration of the court commissioner or by reviewing the records of the court.

109 (3)(B)(iv) A court commissioner in a trial court demonstrates satisfactory  
110 performance by holding:

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

113 (3)(B)(iv)(b) no case under advisement more than 180 days after  
114 submission.

115 (3)(C) **Compliance with education standards.** Satisfactory performance is established  
116 if the court commissioner annually complies with the judicial education standards of this  
117 Code, subject to the availability of in-state education programs. The Council will  
118 measure satisfactory performance by the self-declaration of the court commissioner or  
119 by reviewing the records of the state court administrator.

120 (3)(D) **Substantial compliance with Code of Judicial Conduct.** Satisfactory  
121 performance is established if the response of the court commissioner demonstrates  
122 substantial compliance with the Code of Judicial Conduct, if the Council finds the  
123 responsive information to be complete and correct and if the Council's review of formal  
124 and informal sanctions lead the Council to conclude the court commissioner is in  
125 substantial compliance with the Code of Judicial Conduct.

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

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

131 (3)(F)(i) The presiding judge of the district a court commissioner serves will  
132 prepare a performance plan for a new court commissioner within 30 days of the  
133 court commissioner's appointment. If a court commissioner serves multiple  
134 districts or court levels, the presiding judge of each district and court level will  
135 prepare a performance plan. The performance plan must communicate the  
136 expectations set forth in paragraph (2) of this rule.

137 (3)(F)(ii) If a presiding judge issues an overall "Needs Improvement" rating on a  
138 court commissioner's annual performance evaluation as provided in paragraph  
139 (1), that presiding judge will prepare a corrective action plan setting forth specific  
140 ways in which the court commissioner can improve in deficient areas.

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

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

146 (4)(A)(i) survey scores;

147 (4)(A)(ii) judicial education records;

148 (4)(A)(iii) self-declaration forms;

149 (4)(A)(iv) records of formal and informal sanctions;

150 (4)(A)(v) performance evaluations, if the court commissioner received an overall  
151 rating of Needs Improvement; and

152 (4)(A)(vi) any information requested by the Council.

153 (4)(B) **Records delivery.** Prior to the meeting the Administrative Office must deliver the  
154 records to the Council and to the court commissioners being evaluated.

155 (4)(C) **July Council meeting closed session.** In a session closed in compliance with  
156 rule 2-103, the Council will consider the evaluation information and make a preliminary  
157 finding of whether a court commissioner has met the performance standards.

158 (4)(D) **Certification presumptions.** If the Council finds the court commissioner has met  
159 the performance standards, it is presumed the Council will certify the court commissioner  
160 for reappointment. If the Council finds the court commissioner did not meet the  
161 performance standards, it is presumed the Council will not certify the court commissioner  
162 for reappointment. The Council may certify the court commissioner or withhold decision  
163 until after meeting with the court commissioner.

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

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

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

172 (4)(F) **August Council meeting.** At the request of the Council the court commissioner  
173 challenging a non-certification decision will meet with the Council in August. At the  
174 request of the Council the presiding judge(s) shall report to the Council any meetings  
175 held with the court commissioner, the steps toward self-improvement identified as a  
176 result of those meetings, and the efforts to complete those steps. Not later than 5 days  
177 after the July meeting, the Administrative Office must deliver to court commissioner  
178 being evaluated notice of the Council's action and any records not already delivered to

179 the court commissioner. The notice must contain an adequate description of the reasons  
180 the Council has withheld its decision and the date by which the court commissioner is to  
181 deliver written materials. The Administrative Office must deliver copies of all materials to  
182 the Council and to the court commissioner prior to the August meeting.

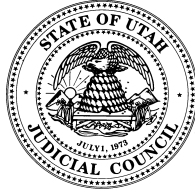
183 (4)(G) **August Council meeting closed session.** At its August meeting in a session  
184 closed in accordance with Rule 2-103, the Council will provide to the court commissioner  
185 adequate time to present evidence and arguments in favor of certification. Any member  
186 of the Council may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

189 (4)(H) **Final certification decision.** At its August meeting in open session, the Council  
190 will approve its final findings and certification regarding all court commissioners whose  
191 terms of office expire that year.

192 (4)(I) **Communication of certification decision.** The Council will communicate its  
193 certification decision to the court commissioner and to the presiding judge(s) of the  
194 district(s) the commissioner serves.

195 *Effective: May 18, 2026*

Tab 9



# Administrative Office of the Courts

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

May 8, 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 Public Comment**

---

The Policy, Planning, and Technology Committee (PP&T) recommends that Rules 3-306.04 and 3-409 of the Utah Code of Judicial Administration (CJA) be approved for a 45-public comment period.

**CJA 3-306.04. Interpreter appointment, payment, and fees (AMEND)**

The proposed amendments require that all interpreter appointments be made using an interpreter scheduling process approved by the Council.

**CJA 3-409. Court facilities planning (AMEND)**

The proposed amendments (1) remove references to the now disbanded Court Facility Planning Committee, (2) update the responsibilities and reporting duties of the Court Facilities Director and court executives, and (3) make non-substantive formatting changes.

**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 3-306.04. Interpreter appointment, payment, and fees.**

2

3 **Intent:**

4 To state the policy of the Utah courts to secure the rights of people under Title VI of the Civil  
5 Rights Act of 1964, 42 U.S.C. 2000d, et seq. in legal proceedings who are unable to understand  
6 or communicate adequately in the English language.

7 To outline the procedures for appointment and payment of contract interpreters for legal  
8 proceedings.

9 **Applicability:**

10 This rule applies to legal proceedings in courts of record and not of record.

11 This rule applies to interpretation for individuals with ~~\_a primary language other than English and~~  
12 limited English proficiency (LEP). This rule does not apply to interpretation for individuals with a  
13 hearing impairment, which is governed by Utah and federal statutes.

14 **Statement of the Rule:**

15

16 **(1) Appointment.**

17 (1)(A) Except as provided in paragraphs (1)(B) and (1)(C), if the appointing authority  
18 determines that a party, witness, victim, or person who will be bound by the legal  
19 proceeding ~~has LEP has a primary language other than English and LEP~~, the appointing  
20 authority will appoint a certified or approved interpreter in all legal proceedings. A person  
21 requesting an interpreter is presumed to be a person ~~with~~ LEP. All appointments will  
22 be made using the interpreter scheduling process approved by the Council.

23 (1)(B) A registered interpreter may be appointed if no certified or approved interpreter is  
24 reasonably available.

25 (1)(C) A conditionally-approved interpreter may be appointed if the appointing authority,  
26 after evaluating the totality of the circumstances, finds that:

27 (1)(C)(i) the prospective interpreter has language skills, knowledge of interpreting  
28 techniques, and familiarity with interpreting sufficient to interpret the legal  
29 proceeding;

30 (1)(C)(ii) appointment of the prospective interpreter does not present a real or  
31 perceived conflict of interest or appearance of bias; and

32 (1)(C)(iii) a certified, approved, or registered interpreter is not reasonably  
33 available or the gravity of the legal proceeding and the potential consequence to  
34 the person are so minor that delays in obtaining a certified or approved  
35 interpreter are not justified.

36

37 (1)(D) **Out of state credentials.** The appointing authority may appoint an interpreter  
38 with certified or approved or equivalent credentials from another state if the appointing  
39 authority finds that the approved, registered, or conditionally approved interpreters who  
40 are reasonably available do not have the language skills, knowledge of interpreting  
41 techniques, or familiarity with interpreting sufficient to interpret the legal proceeding. The  
42 appointing authority may consider the totality of the circumstances, including the

43 complexity or gravity of the legal proceeding, the potential consequences to the person  
44 withef LEP, and any other relevant factor.

45  
46 (1)(E) **Direct verbal exchange.** No interpreter is needed for a direct verbal exchange  
47 between the person and court staff if the court staff can fluently speak the language  
48 understood by the person and the state court employee is acting within guidelines  
49 established in the Human Resources Policies and Procedures. An approved, registered,  
50 or conditionally approved interpreter may be appointed if court staff does not speak the  
51 language understood by the person.

52  
53 (1)(F) **Number of interpreters.** The appointing authority will appoint one interpreter for  
54 all participants with LEP, unless the judge determines that the participants have adverse  
55 interests, or that due process, confidentiality, the length of the legal proceeding, or other  
56 circumstances require that there be additional interpreters.

57  
58 (2) **Review of denial of request for interpreter.** A person whose request for an interpreter has  
59 been denied may apply for review of the denial. The application will be decided by the presiding  
60 judge. If there is no presiding judge or if the presiding judge is unavailable, the court clerk will  
61 refer the application to any judge of a court of equal jurisdiction. The application must be filed  
62 within 20 days after the denial.

63  
64 (3) **Waiver.** A person may waive an interpreter if the appointing authority approves the waiver  
65 after determining that the waiver has been made knowingly and voluntarily. A person may  
66 retract a waiver and request an interpreter at any time. An interpreter is for the benefit of the  
67 court as well as for the person with ~~a primary language other than English and~~ LEP, so the  
68 appointing authority may reject a waiver.

69  
70 (4) **Translation of court forms.** Forms must be translated by a team of at least two people who  
71 are interpreters certified or approved under this rule or translators accredited by the American  
72 Translators Association.

73  
74 (5) **Recorded Evidence.**

75  
76 (5)(A) **Sight translations.** Parties may not ask interpreters to produce on-the-spot sight  
77 translations of written documents. The court may explain to the parties why this task is  
78 inappropriate.

79  
80 (5)(B) **Recorded evidence in languages other than English.** When offering a  
81 recording of a spoken language other than English, a party must offer a written transcript  
82 of the recording to aid the jury or the court in understanding the recording. Admissibility  
83 of the recording and transcript is governed by the Utah Rules of Evidence.

84  
85 (5)(C) **Recorded evidence in English.** Audio and video files recorded in English that  
86 will be played in open court should be reviewed by the interpreter(s) who will be  
87 providing language services for that hearing prior to the proceeding.

88  
89 (5)(D) **Emergency circumstances.** If the situation involves an emergency  
90 circumstance, the court may require a party with LEP to testify as to what is being said  
91 on the recording and have that testimony interpreted by the court interpreter for the  
92 record. If the recorded evidence is brief or not complex, the court may permit on-the-spot  
93 interpretation with the consent of the court interpreter.

94 (5)(E) **Duty to inform.** Court interpreters assigned to a given proceeding must inform  
95 the judge if they are unable to provide on-the-spot interpretation of audio or video  
96 recordings, or sight translations of written documents in English.  
97

98 **(6) Payment.**  
99

100 (6)(A) **Courts of record.** The fees and expenses for language access in courts of record  
101 will be paid by the Administrative Office. Payment of fees and expenses will be made in  
102 accordance with the Accounting Manual.  
103

104 (6)(B) **Courts not of record.** The local government that funds a court not of record will  
105 set and pay the fees and expenses for interpreters in that court.  
106

107 (6)(C) **Parties.** The court may assess the fees and expenses as costs to a party as  
108 otherwise provided by law (e.g., Utah Constitution, Article I, Section 12, Utah Code  
109 Sections 77-1-6, 77-18-116, 77-32b-104, 78B-1-146, Rule 54 of the Utah Rules of Civil  
110 Procedure, and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq.,  
111 including regulations and guidance adopted under that title).  
112

113 (6)(D) **Review.** A person who has been ordered to pay fees and expenses for language  
114 access may apply to the presiding judge to review the order. If there is no presiding  
115 judge, the person may apply to any judge of a court of equal jurisdiction. The application  
116 must be filed within 20 days after the date the order was issued.  
117

118 **Effective: ~~5/1/2025~~ November 1, 2026**  
119

1 **Rule 3-409. Court facilities planning.**

2 **Intent:**

3 ~~To provide for the responsibilities of the Court Facility Planning Committee.~~

4 To provide for the effective planning of court capital facilities.

5 To promote the efficient use of new and existing courthouses through application of co-location  
6 and multi-use court facility concepts.

7 To establish a framework for the conceptual, planning, developmental, and implementation  
8 phases of court capital facilities.

9 To provide for Council review and approval of all proposed court capital facilities.

10 To ensure adherence to the design and space guidelines and other requirements of the Utah  
11 Judicial System Capital Facilities Masterplan ("Masterplan").

12 **Applicability:**

13 This rule ~~shall apply~~ applies to all court construction projects for courts of record regardless of  
14 funding source.

15 **Statement of the Rule:**

16 (1) **Definitions.** As used in this rule:

17 ~~(A) "committee" means the Court Facility Planning Committee established by Rule 1-~~  
18 ~~205;~~

19 (1)(AB) "Construction" means capital development, alterations, renovations, and  
20 improvements;

21 (1)(BC) "DFCM" means the Division of Facilities Construction and Management;

22 (1)(CD) "Facilities Director" means the person designated by the  
23 state court administrator to manage the court facility department.  
24 ~~to serve as staff to the committee; and~~

25

26 ~~(E) "masterplan" means the Utah Judicial System Capital Facilities Masterplan.~~

27 (2) C~~J~~**udicial council responsibilities.** Only the ~~Judicial~~ Council may approve or amend the  
28 M~~m~~asterplan. Only the ~~Judicial~~ Council may approve a construction project. The Administrative  
29 Office ~~shall~~ will seek funding consistent with Council priorities.

30 (3) ~~Committee~~ Facilities Director **responsibilities.** The ~~committee~~ Facilities Director ~~shall~~ will:

31 (3)(A) review trends and projections in population, caseload, and other growth indicators  
32 to anticipate courthouse construction needs;

33 (3)(B) review the evaluations of courthouses required by this rule and recommend the  
34 prioritized placement of courthouse construction projects within the Mmasterplan;

35 ~~(C) review recommendations from the facility coordinator on construction projects and~~  
36 ~~the masterplan;~~

37 ~~(3)(CD)~~ make recommendations to the Council regarding the reordering of Mmasterplan  
38 priorities and amendments to design and space guidelines;

39 ~~(3)(DE)~~ compare construction requests with the design and space guidelines of the  
40 Mmasterplan to ensure the current and anticipated needs of the court are met; and

41 ~~(F) develop a timetable for construction requests so that the committee presents its~~  
42 ~~recommendations to the Council in advance of the Annual Planning Workshop;~~

43 ~~(3)(FG)~~ make recommendations to the Council for the approval, modification, or  
44 disapproval of construction requests; and

45 ~~(H) develop procedures for the delegation of committee responsibilities to the facility~~  
46 ~~coordinator.~~

47 **(4) Masterplan.**

48 ~~(4)(A)~~ There shall will be a facilities Mmasterplan which shall will include design and  
49 space guidelines, workload forecasts, and a capital facility priority list. This Code and the  
50 Mmasterplan will control all capital facility projects, including those implemented on  
51 behalf of the judiciary by DFCM and local governments. Exceptions to court design and  
52 space guidelines require approval of the ~~committee and notice to the Council, which may~~  
53 ~~overrule the committee.~~

54 ~~(4)(B)~~ The ~~facility coordinator~~ Facilities Director shall will prepare a periodic report  
55 evaluating courthouse compliance with the Mmasterplan. To prepare the report, the  
56 ~~facility coordinator~~ Facilities Director may use contract services. The report should  
57 assess each courthouse at least once every five years. The report should include an  
58 assessment of compliance with design and space guidelines and placement of the  
59 courthouse within the Mmasterplan. ~~Committee recommendations~~ Recommendations  
60 concerning any amendment of the Mmasterplan shall will be made to the Judicial  
61 Council at ~~the an a~~ Annual Planning Workshop Facilities p Planning u Update before  
62 publishing any changes. ~~The Judicial Council shall republish the masterplan annually~~  
63 ~~after the workshop.~~

64 **(5) Construction requests.** The Court Executive shall will submit construction project  
65 requests to the ~~facility coordinator~~ Facilities Director as part of the annual budget process. The  
66 ~~facility coordinator~~ Facilities Director shall will prepare analyses and recommendations ~~to the~~  
67 ~~committee~~ regarding:

68 ~~(5)(A)~~ comparison of the request with the Mmasterplan, including compliance with  
69 design and space guidelines and priority within the Mmasterplan;

70 ~~(5)(B)~~ the cost of the programming, design, and construction phases of the project; and

71 ~~(5)(C)~~ the fiscal years during which those costs will be expended; and

72 ~~(D) recommendations of the committee to the Judicial Council in advance of the Annual~~  
73 ~~Planning Workshop. A copy of the committee recommendations shall be provided to the~~  
74 ~~affected Boards of Judges.~~

75 **(6) Construction projects.** Construction projects approved by the Council and the Legislature  
76 will shall be directed by a project design team chaired by the ~~facility coordinator~~ Facilities  
77 Director. The team shall will include the Court Executive, appropriate court staff ~~from the~~  
78 ~~Administrative Office~~, the Court Security Director, and a judge from the district, who is

79 appointed by the presiding judge. The project design team will continue to function through  
80 completion of the project. The team ~~shall~~will develop a general design programming guide and  
81 review and approve the following project documents and phases:

82 (6)(A) pre-design and site selection;

83 (6)(B) schematics design; and

84 (6)(C) design/development;

85 ~~(D) working drawings; and~~

86 ~~(E) construction documents.~~

87 (7) DCFM approval. The ~~Administrative Office~~Facilities Director ~~shall~~will obtain approval from  
88 DFCM on all documents and phases for state funded capital development and improvement  
89 projects previously approved by the judiciary and the legislature pursuant to this rule.

90 ~~(8) The state court administrator shall will provide for the appointment and supervision of a~~  
91 ~~facility coordinator to serve as staff to the committee and to perform duties as delegated by the~~  
92 ~~committee.~~

93 *Effective: ~~11/1/1996~~ May 1, 2026*

**Tab 10**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

I am  Plaintiff  Defendant  
 Plaintiff's Attorney  Defendant's Attorney (Utah Bar #: \_\_\_\_\_)  
 Plaintiff's Licensed Paralegal Practitioner  
 Defendant's Licensed Paralegal Practitioner (Utah Bar #: \_\_\_\_\_)

In the District Court of Utah

\_\_\_\_\_ Judicial District \_\_\_\_\_ County

Court Address \_\_\_\_\_

<p>_____ Plaintiff</p> <p>v.</p> <p>_____ Defendant</p>	<p><b>Judgment for Plaintiff for Unlawful Detainer (Eviction)</b></p> <p>_____ Case Number</p> <p>_____ Judge</p>
-----------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------

This judgment follows (Check only one.):

- A ruling by the judge.
- A stipulation of the parties.
- Entry of a default certificate.

1.  The defendant is ordered to immediately surrender possession of the leased premises. Plaintiff may request an Order of Restitution to enforce this order.

2.  The plaintiff is awarded judgment against the defendants as follows:

a. Rent due <b>after</b> the notice expired	\$
b. Amounts due under the contract besides rent	\$
c. Waste – if the complaint includes a notice for waste	\$
d. <b>Total</b> (add the amounts listed above)	\$
e. Total X 3 (multiply the total in paragraph d by 3 – these are called treble damages)	\$
f. Past due rent as listed in the 3-day notice – if the complaint includes a notice to pay or vacate	\$
g. Attorney fees	\$
h. Filing fees	\$
i. Service fees (to have any papers served on the defendants)	\$
j. Damage to plaintiff's property	\$
k. Other damages	\$
l. <b>Total judgment</b> (add the paragraphs e through k)	\$

3.  Interest from the date of judgment until paid

at \_\_\_\_\_ % interest per year under Utah Code 15-1-4 (the current state post-judgment rate)

OR

at \_\_\_\_\_ % interest per year (pursuant to the contract between the parties)

4. This judgment may be supplemented by additional costs and fees incurred in proper efforts to enforce the judgment.

Judge's signature may instead appear at the top of the first page of this document.

\_\_\_\_\_  
Date

Signature ► \_\_\_\_\_  
Judge

**The Certificate of Service** proves you gave copies of this document to everyone involved in your case. It is saying, "I gave everyone the papers they need to see." (Utah Rule of Civil Procedure 5)

1. **Fill out the sections below:** Write the information for each person you are sending a copy to. You have space to include two people and may add more pages if needed.
2. **Serve it:** You need to give a copy of the document including the certificate of service page to the other person. Give it to them on or before the day you give the document to the court.
3. **File it:** You need to give this document including the certificate of service page to the court. Make sure you also keep a copy for yourself.

### Certificate of Service

I confirm that I provided a copy of this Judgment for Plaintiff for Unlawful Detainer (Eviction) to the following people.

I provided a copy to <b>Name of Person</b>	I provided the copy by <b>[x]check one</b>	I provided the copy to this <b>address</b> <b>(based on ← option checked)</b>	I provided the copy on <b>Date</b>
1.	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed/MyCase <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
2.	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed/MyCase <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

\_\_\_\_\_  
 Date  
 (when you filled this out)

Your  
 Signature ►  
 Your Printed  
 Name

\_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

I am  Plaintiff  Plaintiff's Attorney (Utah Bar #: \_\_\_\_\_)  
 Plaintiff's Licensed Paralegal Practitioner (Utah Bar #: \_\_\_\_\_)

In the District Court of Utah

\_\_\_\_\_ Judicial District \_\_\_\_\_ County

Court Address \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

v.

\_\_\_\_\_  
Defendant

**Order of Eviction and Notice That  
You Must Move Out (Order of  
Restitution)**

\_\_\_\_\_  
Case Number

\_\_\_\_\_  
Judge

**To the defendants:**

You are ordered to move out of \_\_\_\_\_ (address)

You must move out at the time stated below, unless the plaintiff and defendant agree otherwise:

within **3 calendar days** of when this Order was served on you

The parties agree the defendants must move out by \_\_\_\_\_:\_\_\_\_\_ (time) on \_\_\_\_\_ (date)

This eviction is because of a nuisance that under the laws of this state is considered a criminal act. Utah Code 78B-6-810(3) There was a hearing where the court decided it is more likely than not that the criminal act happened. The court orders:

immediate possession of the rental to the landlord or

\_\_\_\_\_ hours (up to 72 hours) for the tenant to move out.

[ ] There was a hearing with the court. The defendant did not attend the hearing and the court entered a default against them. The court orders immediate possession of the rental to the landlord.

Move out means leave the premises, take all your belongings and leave any keys or access cards. You and any person claiming a right to live there from you must move out and allow the plaintiff to have access to and control of the premises.

If you do not follow this order, you may be forcibly removed from the property by the sheriff or a constable. They will use the least destructive means possible to remove you, your personal property, and any persons who claim to have received a right to live there from you.

**To the sheriff or constable:**

If the defendants are served with this order and fail to vacate the property as ordered, you are ordered to enter the premises by force using the least destructive means possible to remove the defendants, any personal property of the defendants and any persons claiming a right to occupancy from the defendants. If you find a personal animal as defined by Utah Code 78B-6-812, you must notify the local animal control authority to take custody of the personal animal.

Judge's signature may instead appear at the top of the first page of this document.

\_\_\_\_\_  
Date

Signature ► \_\_\_\_\_  
Judge \_\_\_\_\_

## Notice to Defendants

### Your options

Move out. Take your important documents, medicine, medical supplies, and cherished objects.

If you want to ask the court to stop the eviction you can file both of these:

- a Motion to Set Aside Judgment. This asks the court to undo the eviction order. The court must wait 14 days before it can rule on the motion unless you ask the court to delay enforcement of the order.
- a Motion to Delay Enforcement of Judgment. This asks the court to delay the eviction order. The eviction could still move forward unless you ask the court to set aside the eviction order. But the court cannot grant the motion to delay unless you post a bond for a large enough amount to pay the landlord's probable costs, attorney fees, and damages (including unpaid rent) if the court decides in favor of the landlord. Any prepaid rent is a portion of the tenant's bond.

You can find forms and guidance at [www.utcourts.gov/out](http://www.utcourts.gov/out)



Scan QR code  
to visit page

If you do not know where you will be able to stay, call 211 on your phone for help in your county.

This order of eviction has determined which party has the right to possess the property. If this order did not resolve any claims for damages asserted by the Plaintiff or any counterclaims asserted by you, it may not be a final order from which a direct appeal could be filed.

## **Your rights after eviction**

Even though you are being evicted you still have rights. Your landlord must give you the following property back within **5 business days**, without requiring you to pay anything:

- clothing
- identification
- financial documents, including all those related to your immigration or employment status
- documents about the receipt of public services, and
- medical information, prescription medications, and any medical equipment required for maintenance of medical needs

You can get your other belongings back, but you must make a written request to your landlord within **15 calendar days** after your eviction. Your landlord can charge you a reasonable storage and moving fee.

If you are not able to get your belongings as explained above or the landlord does not follow the Order of Restitution, you can ask for a hearing in front of a judge. The hearing would be to talk about problems with getting your belongings. To ask for a hearing, file a form called "Request for Hearing After Eviction Because My Rights are Being Violated." The landlord must have the sheriff or constable serve this form with you along with this order. Your request for a hearing will not stop the eviction.

You have the right to a hearing to dispute the way this order may be enforced and to assert your rights. A Request for Hearing Regarding Enforcement of an Order of Restitution must be served on you along with this order.

Your request for a hearing will not stop enforcement of this order unless the court has ordered a stay of this order and an appropriate bond has been posted in an amount approved by the court. (Utah Code 78B-6-812(2)(b) and 78B-6-808(4)(b))

If you have a pet and you are not present at the time the eviction order is enforced, the sheriff or constable will contact animal control to take your pets. Animal control will take your pets within 1 business day of being contacted. They will post a notice at the premises with their name and contact information.

## **Update the court and the landlord with your contact information**

The landlord could file paperwork in your case asking for a money judgment and could

file paperwork asking to increase the judgment amount. Update your contact information so you will receive what is being filed and have the opportunity to respond. If animal control takes your pet, the landlord is responsible for giving them your last known contact information.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

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

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's Declaration of Damages**

\_\_\_\_\_  
Plaintiff

v.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Case Number

\_\_\_\_\_  
Judge

Plaintiff says

**1. Rent due after the notice expired** (Check one. Fill in blanks if appropriate.)

- There was no agreement for defendants to pay rent. No rent was ever paid.
- There is a written or oral agreement for the defendants to pay rent.
  - a. The monthly rent for the property is: \$\_\_\_\_\_.
  - b. The monthly rent divided by 30 is: \$\_\_\_\_\_. This is the daily rent.
  - c. The notice was served on: \_\_\_\_\_.
  - d. The notice is a \_\_\_\_\_ (number of days) notice.

- e. Skipping the day I served the notice (day zero), it expired on \_\_\_\_\_.  
(Read the notice and compare paragraphs 3 and 4. Calculate the date based on when you served the notice and the number of days it gave to comply.)
- f. It has been \_\_\_\_\_ days since the notice expired.
- g. If I multiply the daily rent from paragraph 2 by the number of days in paragraph 6, it gives me a total of \$\_\_\_\_\_.

**2. Amounts due under the contract besides rent** (Check one. Fill in blanks if appropriate.)

Defendants do not owe any other amounts under the contract.

Defendants owe \$\_\_\_\_\_ under the contract. It is for (explain)

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**3. Waste** (Check one. Fill in blanks if appropriate.)

The complaint did not include a notice for waste.

The complaint included a notice for waste. Defendants owe \$\_\_\_\_\_ for waste because (explain):

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**4. Treble damages Utah Code 78B-6-811**

When I add the totals in paragraphs 1, 2, and 3 above the total is \$\_\_\_\_\_.

That amount multiplied by 3 is \$\_\_\_\_\_.

**5. Past due rent as listed in the 3-day notice** (Check one. Fill in blanks if appropriate.)

There is no past due rent owed from before the notice was filed.

The defendants owe \$\_\_\_\_\_ in past due rent. This is the amount that was listed on the 3-day notice.

**6. Attorney Fees**(Check one. Fill in blanks if appropriate.)

I do not have an attorney or no attorney fees are owed.

The defendants owe \$\_\_\_\_\_ in attorney fees.

**7. Filing Fees** (Check one. Fill in blanks if appropriate.)

I am not asking for reimbursement of filing fees.

The defendants owe \$\_\_\_\_\_ for the filing fee I paid.

**8. Service Fees** (Check one. Fill in blanks if appropriate.)

I did not have to pay any service fees or I am not asking for reimbursement of serving fees.

The defendants owe \$\_\_\_\_\_ for the fees I paid to have defendants served.

**9. Damage to plaintiff's property** (Check one. Fill in blank if appropriate.)

Defendants did not cause damage beyond normal wear and tear while in possession of plaintiff's property

Defendants caused the following damage beyond normal wear and tear while in possession of plaintiff's property (Briefly describe the damage.):

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Plaintiff has paid or will pay \$\_\_\_\_\_ to repair the damage caused by defendants. Plaintiff is attaching an itemized list of costs plaintiff has already paid to repair the property. If plaintiff has not yet repaired the property, one or more bids or estimates of the costs of repair are attached.

**10.  Other damages**

In addition to the amounts above, plaintiff is entitled to \$\_\_\_\_\_ from defendants for the following reasons. (Include only other damages allowed by statute or case law. Proof is required.)

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**11. Total Amount of Damages**

The total amount of damages I am asking for is \$\_\_\_\_\_ (add the amounts in paragraphs 4 to 10 above).

**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).

\_\_\_\_\_  
Date

Signature ► \_\_\_\_\_  
Printed Name \_\_\_\_\_

**Attorney or Licensed Paralegal Practitioner of record** (if applicable)

\_\_\_\_\_  
Date

Signature ► \_\_\_\_\_  
Printed Name \_\_\_\_\_

**The Certificate of Service** proves you gave copies of this document to everyone involved in your case. It is saying, "I gave everyone the papers they need to see." (Utah Rule of Civil Procedure 5)

1. **Fill out the sections below:** Write the information for each person you are sending a copy to. You have space to include two people and may add more pages if needed.
2. **Serve it:** You need to give a copy of the document including the certificate of service page to the other person. Give it to them on or before the day you give the document to the court.
3. **File it:** You need to give this document including the certificate of service page to the court. Make sure you also keep a copy for yourself.

### Certificate of Service

I confirm that I provided a copy of this Plaintiff's Declaration of Damages to the following people.

I provided a copy to <b>Name of Person</b>	I provided the copy by <b>[x]check one</b>	I provided the copy to this <b>address</b> <b>(based on ← option checked)</b>	I provided the copy on <b>Date</b>
1.	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed/MyCase <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
2.	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed/MyCase <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Your  
Signature ►

\_\_\_\_\_  
Date  
(when you filled this out)

Your Printed  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

**If you do not respond to this document within applicable time limits, judgment could be entered against you as**

\_\_\_\_\_  
Email

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

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 \_\_\_\_\_

<p>_____ Plaintiff</p> <p>v.</p> <p>_____ Defendant</p>	<p><b>Complaint for Unlawful Detainer (Eviction)</b> Utah Code 78B-6-801 to 814</p> <p>_____ Case Number</p> <p>_____ Judge</p>
-----------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------

- 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), 78B-6a-101(10))  
 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))  
     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), 78B-6a-101(10))  
     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)(I))  
 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 \$\_\_\_\_\_. This amount is for:

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), 78B-6a-101(10))

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 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)

\_\_\_\_\_

g. **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: \_\_\_\_\_

\_\_\_\_\_

h. **Three Day Notice to Vacate for Nuisance That Cannot be Fixed** (Utah Code 78B-6-802(1)(f), 78B-6a-101(10))

Defendants have allowed the nuisance as follows: \_\_\_\_\_

\_\_\_\_\_

i. **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:

\_\_\_\_\_

\_\_\_\_\_

j. **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.

k. **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.

l. Other

\_\_\_\_\_

\_\_\_\_\_

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 declaration 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));

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).

\_\_\_\_\_  
Date

Signature ► \_\_\_\_\_

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 <b>after</b> 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 under Utah Code 78B-6-802(1)(d)	\$
d. <b>Total</b> (add the amounts listed above)	\$

e. Total X 3 (multiply the total in paragraph d by 3 – these are called treble damages)	\$
f. Past due rent as listed in the 3-day notice – if the complaint includes a notice to pay or vacate	\$
g. Attorney fees (may include Licensed Paralegal Practitioner)	\$
h. Filing fees	\$
i. Service fees (to have any papers served on the defendants)	\$
j. <b>Total amount requested</b> (add the paragraphs e through i)	\$

#### 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.)

**THREE DAY NOTICE TO VACATE FOR NUISANCE  
THAT CANNOT BE FIXED**

This Notice is given to:

This Notice is given by:

\_\_\_\_\_  
Tenant/Occupant Name

\_\_\_\_\_  
Landlord/Owner Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

The law allows a tenant to be evicted because of committing a nuisance, including a private nuisance. Utah Code 78B-6-802(1)(f). Private nuisance is defined in Utah Code 78B-6a-101(10).

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](http://www.utcourts.gov/howto/landlord/eviction.html)

The court’s Finding Legal Help web page ([www.utcourts.gov/help](http://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:

This Notice is given by:

\_\_\_\_\_  
Tenant/Occupant Name

\_\_\_\_\_  
Landlord/Owner Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

The law allows a tenant to be evicted because of committing a nuisance, including a private nuisance. Utah Code 78B-6-802(1)(f). Private nuisance is defined in Utah Code 78B-6a-101(10).

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](http://www.utcourts.gov/howto/landlord/eviction.html)

The court's Finding Legal Help web page ([www.utcourts.gov/help](http://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.

\_\_\_\_\_ Landlord/Owner Signature ► \_\_\_\_\_  
Date \_\_\_\_\_ Printed Name \_\_\_\_\_

**RETURN OF SERVICE**

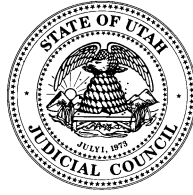
This Notice was served upon \_\_\_\_\_ (name) on \_\_\_\_\_ (date) in the following manner (check the appropriate boxes):

- 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

**Tab 11**



# Administrative Office of the Courts

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

April 28, 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:** Reappointment Requests

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*Reappointment of Michael Lichfield:*

Mr. Michael Lichfield was first appointed to be a member of the Committee in April 2023 and has recently completed his initial term. During his time on the Committee, he has been an active participant in and contributor to Committee discussions of numerous model instructions. He has expressed a desire to continue serving on the Committee. The Committee Chair and Vice-Chair recommend that he be reappointed to serve another term.

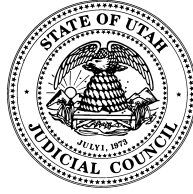
*Reappointment of John Macfarlane:*

Mr. John Macfarlane was likewise appointed to be a member of the Committee in April 2023 and has just completed his initial term. He has similarly proven to be a dedicated member who actively shapes model instructions through thoughtful participation in discussions and contributions of draft amendments. He has also expressed a desire to continue his service, and both the Committee Chair and Vice-Chair recommend his reappointment for a second term.

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

**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 12



# Administrative Office of the Courts

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

Apr 27, 2026

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

## MEMORANDUM

**TO: Management Committee**

**FROM: Keri Sargent, Deputy District Court Administrator**

**RE: Vacancy on WINGS Committee**

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The Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) was in need of a judge to fill a vacancy on the committee caused by the retirement of Judge Keith Kelly. Judge Matthew Hansen has volunteered, and the Board of District Court Judges has accepted his request. The Board recommends to the Management Committee Judge Hansen's appointment to WINGS.

Judge Matthew Hansen, appointed by Governor Spencer Cox in May 2025 to the Second District Court, was previously a Division Chief in the Davis County Attorney's Office. He also served in the Salt Lake and Weber County Attorney's Offices. Judge Hansen holds a B.A. from Brigham Young University and a J.D. and M.B.A. from the University of Utah. His prior service includes Utah Supreme Court Advisory Committees, Administrative Law Judge roles for several cities, Utah State Bar Commissioner, and a member of the Utah Victim Services Commission.

I look forward to our discussion.

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