

**JUDICIAL COUNCIL
MEETING AGENDA**

July 27, 2026

Hybrid Meeting (in person and Webex)

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

Associate Chief Justice Jill Pohlman, Presiding

1. 9:00 a.m. Welcome & Approval of Minutes.....Associate Chief Justice Jill Pohlman
(TAB 1 - Action)
2. 9:05 a.m. Chair’s Report.....Associate Chief Justice Jill Pohlman
(Information)
3. 9:10 a.m. State Court Administrator’s Report.....Ron Gordon
(Information)
4. 9:20 a.m. Reports: Management Committee.....Associate Chief Justice Jill Pohlman
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. 9:30 a.m. Board of Juvenile Court Judges Report.....Judge Rick Westmoreland
(Information) Judge Troy Little
Daniel Meza Rincon
6. 9:45 a.m. Budget and Grants.....Karl Sweeney
(TAB 3 - Action) Alisha Johnson
7. 10:05 a.m. Basic Guidelines Guardianship Handbook for Minors.....Shonna Thomas
(TAB 4 - Action)
8. 10:10 a.m. Certification of Treatment Courts.....Cris Seabury
(TAB 5 - Action) Katy Erickson
9. 10:25 a.m. Debt Collection and Housing Division Update.....Judge Rita Cornish
(TAB 6 - Action) Judge Kara Petit
10. 10:45 a.m. Language Access Committee Report.....Cade Stubbs
(TAB 7 - Information) Jon Puente

11. 10:55 a.m. Open and Public Meetings Act Training.....Keisa Williams
(Information)
- 11:05 a.m. **Break**
12. 11:15 a.m. Court Facilities Planning Report.....Chris Talbot
(TAB 8 - Information)
13. 11:25 a.m. Indigent Defense Commission Report.....Matthew Barraza
(TAB 9 - Information)
14. 11:40 a.m. Weighted Caseloads.....Ron Gordon
(TAB 10 - Action)
Shane Bahr
Daniel Meza Rincon
Morgan Hansen
Emily King
15. 11:55 a.m. Rules for Final Approval.....Keisa Williams
(TAB 11 - Action)
16. 12:00 p.m. Court Commissioner Conduct Committee Report.....Judge John Luthy
(TAB 12 - Information) Stacy Haacke
17. 12:10 p.m. Old Business / New Business.....All
(Discussion)
18. 12:20 p.m. Consent Calendar.....Associate Chief Justice Jill Pohlman
(Action)
19. 12:25 p.m. Certification of Court Commissioners.....Shane Bahr
(TAB 13 - Action)
20. 12:30 p.m. GAL Oversight Committee..... Daniel Meza Rincon
(TAB 14 - Action)
21. 12:35 p.m. Executive Session.....All
22. 01:20 p.m. Adjourn.....Associate Chief Justice Jill Pohlman

Consent Calendar

1. Rules for Public Comment
(TAB 15)

Tab 1

**JUDICIAL COUNCIL MEETING
Minutes**

June 22, 2026

Hybrid Meeting (in person and Webex)

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

Honorable Associate Chief Justice Jill Pohlman presiding

Members:

Associate Chief Justice Jill
Pohlman, Chair
Justice Paige Petersen
Hon. Suchada Bazzelle
Hon. Rita Cornish
Hon. Susan Eisenman
Hon. Michael Leavitt
Hon. James Gardner
Hon. Amber Mettler
Hon. Christine Johnson
Hon. Chris Bown
Hon. Brendan McCullagh
Hon. Jon Carpenter
Hon. Michael DiReda
Hon. Angela Fannesbeck
Kristin K. Woods

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
Hon. Clay Stucki
Alex Peterson

Excused:

Chief Justice Matthew
B. Durrant
Hon. David Mortensen,
Vice Chair
Hon. Samuel Chiara

1. WELCOME AND THE APPROVAL OF MINUTES (Associate Chief Justice Jill Pohlman):

Justice Jill Pohlman welcomed everyone to the meeting and asked whether there were any questions or corrections to the May 18, 2026, and June 5, 2026, meeting minutes. None were raised.

Motion: Judge Brendan McCullagh moved to approve the May 18, 2026, and June 5, 2026, minutes. Judge Christine Johnson seconded the motion, and it passed unanimously.

2. CHAIR’S REPORT (Associate Chief Justice Jill Pohlman):

Justice Jill Pohlman announced that Justice Stephen Dent and Justice Jay T. Jorgensen have begun serving the Utah Supreme Court following their confirmation by the Senate. She noted that two additional vacancies remain to be filled for the positions created during the most recent legislative session. Justice Jill Pohlman announced that Justice Stephen Dent and Justice Jay T. Jorgensen have begun serving the Utah Supreme Court following their confirmation by the Senate. She noted that two additional vacancies remain to be filled for the positions created during the most recent

legislative session.

3. STATE COURT ADMINISTRATOR REPORT (Ron Gordon):

Ron Gordon provided an update on facilities and space planning at the Matheson Courthouse. He reported that parking assignments will be reconfigured to accommodate the addition of new judicial officers, with the P3 parking area designated exclusively for judicial officer parking. Judicial officer parking. The changes will also increase parking availability for visiting judicial officers and increase the size of several existing parking stalls.

Mr. Gordon also outlined long-term courthouse space planning efforts prompted by anticipated judicial growth and future operational needs. He explained that options are being evaluated to create additional chambers and courtroom space while preserving flexibility for potential future changes. Preliminary concepts include repurposing existing conference and jury assembly spaces and evaluating opportunities to relocate administrative functions. Mr. Gordon emphasized that all space-planning options under consideration would prioritize solutions that minimize disruption to court operations. Judicial Council members expressed support for continuing the planning process.

4. COMMITTEE REPORTS:

Management Committee: Nothing to report.

Budget & Fiscal Management Committee: Judge Rita Cornish reported the work of the committee will be discussed later in the meeting.

Liaison Committee: Judge Brendan McCullagh reported that Senate Bill 270 Ad Hoc Committee has been meeting regularly and they will present an update at the July Judicial Council Meeting.

Policy, Planning, and Technology Committee: Judge James Gardner reported the work of the committee will be discussed later in the meeting.

Bar Commission: Katie Woods provided an update on Utah State Bar initiatives. She reported that the Bar continues to expand its use of text-based customer services, which has successfully improved responsiveness to attorney inquiries and reduced staff workload. Based on the success of that pilot program, the Bar plans to implement text support across additional departments.

5. BUDGET AND GRANTS (Karl Sweeney and Alisha Johnson)

Alisha Johnson presented the financial reports.

FY 2026 One-Time Turnover Savings- Period 11

#		Prior Month	Forecast	Actual	Forecasted	Change in Forecast
		Amount @ YE	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)	987,404		1,106,549	1,106,549	119,145
1	Ongoing Turnover Savings FY 2026 (forecast \$65,000 / month x 1 months, Salary Differential only)	130,000		-	65,000	(65,000)
	TOTAL SALARY RELATED ONGOING SAVINGS	1,255,987		1,245,131	1,310,131	54,145
	Benefit Differential Savings FY 2026 (will be recognized in this row starting in Q4)	(36,150)		6,137	6,137	42,287
	TOTAL SAVINGS	1,219,837		1,251,269	1,316,269	96,432
2	2026 Annual Authorized Hot Spot Raises	(200,000)		(199,333)	(200,000)	-
	TOTAL USES	(200,000)		(199,333)	(200,000)	-
	Total Actual/Forecasted Unencumbered Turnover Savings for FY 2026	1,019,837		1,051,935	1,116,269	96,432

FY 2026 Year End Requests and Forecasted Available One-time Funds - Period 11

Forecasted Available One-time Funds			# One-time Spending Plan Requests	Adjusted Requests Amount	Judicial Council Approved Amount
Description	Funding Type	Amount			
Sources of FY 2026 Funds					
* Turnover Savings as of FPE 05/22/2026	Turnover Savings	1,342,609			
Turnover savings Estimate for the rest of the year (\$600 x 216 pay hours)	Turnover Savings	129,600			
Total Potential One Time Turnover Savings		1,472,209			
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(129,000)			
(a) Total Potential One Time Turnover Savings Less Discretionary Use		1,322,209			
Operational Savings from TCE / AOC Budgets - mid-year forecast					
Expected additional operational savings for balance of fiscal year	Internal Operating Savings	649,910			
Operational Savings from IT Budget - Timing of Contract Renewal Deferred to FY 27	Internal Operating Savings	200,000			
Reserve Balance (Balance from FY 2025 Carryforward)	Judicial Council Reserve	400,000			
Use IT Budget Savings and Operational Savings to Increase Retro VOS Eligibility	Adjustments to CY Operations	700			
(b) Total Operational Savings, Reserve, Unclaimed Property and Prior Year Adjustments		(462,000)			
(c) Total of Turnover Savings & Operational Savings = (a) + (b)		788,819			
Uses of FY 2026 Funds					
(d) Carryforward into FY 2027 (Anticipate request to Legislature for \$3,200,000)	FY 2027 Carryforward	2,030,819			
Total Potential One Time Savings = (c) less Carryforward (d)		-			
Less: Judicial Council Requests Previously Approved		-			
Less: Judicial Council Current Month Spending Requests		-			
Remaining Forecasted Funds Available for FY 2026 YE Spending Requests, CCCF, etc.		-			
Updated 06/04/2026					

Last reported expected carryforward: \$2,028,931

FY 2027 Carryforward and Ongoing Requests - Period 11, FY 2026



FY 2027 Carryforward and Ongoing Requests - Period 11, FY 2026

6/4/2026

Funding Sources

	One Time	Ongoing
Ongoing Turnover Savings carried over from FY 2025		\$ 138,582
Forecasted YE Ongoing Turnover Savings from FY 2026		\$ 1,177,686
Forecasted Unused Ongoing Investing in Our People Comp Track Increase, FY 2026 (estimated)		\$ 122,800
Subtotal		\$ 1,439,068
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	\$ 2,010,819	\$ -
Total Available Funding	\$ 2,101,319	\$ 1,708,468
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		\$ (200,000)
Net Available for Use	\$ 2,101,319	\$ 1,508,468

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

	Presented		Judicial Council Approved	
	One Time	Ongoing	One Time	Ongoing
1 Education Judicial Assistant Training Support - Lauren Andersen		\$ 34,000		
2 Court Visitor Specialist and Pilot Program Attorney - Shonna Thomas, Keri Sargent	\$ 130,000	\$ 108,250		
3 Sixth District Clerical Training Coordinator - Linda Ekker		\$ 102,000		
4 8th District Additional Judicial Assistant FTE - Russell Pearson		\$ 90,600		
5 Sixth District Clerical Team Manager - Linda Ekker		\$ 112,300		
Subtotal	\$ 130,000	\$ 447,150	\$ -	\$ -

Ongoing Requests

	Presented		Judicial Council Approved	
	One Time	Ongoing	One Time	Ongoing
Prior Approved Ongoing Commitments				
Investing in Our People - Ron Gordon and Neira Siaperas		\$ 370,000		\$ 370,000
8th District Probation Training Coordinator - Russell Pearson		\$ 52,500		\$ 52,500
Juvenile Court ICJ Funding Increase - Daniel Meza Rincón		\$ 7,000		\$ 7,000
Ongoing Requests - For Consideration				
1 Two Additional Juvenile Law Clerk Attorneys - Judge Westmoreland, Daniel Meza Rincón		\$ 278,700		
2 5th District Court Case Manager - Cade Stubbs		\$ 14,800		
3 Appellate Court Conference Funds - Lauren Andersen, Nick Stiles		\$ 35,000		
4 Director of Administrative Services- Ron Gordon, Neira Siaperas	\$ 5,000	\$ 190,000		
5 Employee and Judicial Officer Wellness Resources - Tava - Neira Siaperas and Karl Sweeney		\$ 94,600		
Subtotal to Approve and Fund Immediately	\$ 5,000	\$ 1,042,600	\$ -	\$ 429,500
Balance Remaining After Judicial Council Approvals				\$ 1,078,968
Balance Remaining Inclusive of "Presented"		\$ 18,718		

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			
4	IT Contract Developers - Brody Arishita	\$ 682,000			
5	IT Network/Systems Maintenance Staff - Todd Eaton/Chris Talbot	\$ 50,000			
6	IT Replacement Inventory - Todd Eaton	\$ 364,000			
7	IT Tech Subject Matter Expert Stipend - Todd Eaton/Taz Hatch	\$ 65,000			
8	Incentive Awards - Bart Olsen, Erin Rheed and Alisha Johnson	\$ 560,000			
9	Contingent Bridge Funding for Protective Order Program Facilitator - Amy Hernandez	\$ 32,500			
10	All Rise Utah Welcome Dinner - Jon Puente	\$ 20,000			
11	Tooele Courtroom Funding - Mark Paradise 3rd District TCE	\$ 1,285,000			
	Defer #11 past FY 2027 carryforward	\$ (1,285,000)			
	Subtotal	\$ 1,943,400	\$ -	\$ -	\$ -
	Balance Remaining After Judicial Council Approvals			\$ 2,101,319	\$ 1,078,968
+	Balance Remaining Inclusive of "Presented"	\$ 22,919	\$ 18,718		

LEGEND

Highlighted items are currently being or have been presented to the BFMC

Highlighted items have been previously presented to the BFMC

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.

Funding Requests- Ongoing and 1x Unobligated Fiscal Note (Case Processing)

1. Education Judicial Assistant Training Support

Lauren Anderson an additional \$34,000 annually to support ongoing training for Judicial Assistants through an improved onboarding and ongoing training program.

2. Court Visitor Specialist and Pilot Program Attorney

Shonna Thomas and Keri Sargent requested \$130,000 one-time funds for the Pilot Program Attorney and \$108,250 ongoing funds for the Court Visitor Specialist. This will provide the necessary resources to address the workload experienced by the Court Visitor Program because of an enduring shortage of attorneys to fulfill statutory requirements in guardianship cases.

3. 6th District Clerical Training Coordinator

Linda Ekker requested \$102,000 ongoing funds for a dedicated training coordinator position in the Sixth District. This request was submitted to the Judicial Council for the August 2025 Annual Budget meeting and then included in the requests sent to the Legislature for consideration in their 2026 General Session but not funded.

4. 8th District Additional Judicial Assistant FTE

Russell Pearson requested \$90,600 ongoing case processing funds for an additional Judicial Assistant. The Eighth District currently uses 1.0 FTE Judicial Assistant position that has been funded by the Judicial Council for many years by ARPA/One-time Turnover Savings. The request for ongoing case processing funding is to make this position permanent.

5. 6th District Clerical Team Manager

Linda Ekker requested ongoing case processing funding for a Team Manager position in the Sixth District. This request was submitted to the Judicial Council for the August 2025 Annual Budget meeting but not forwarded to the Legislature to reduce the total number of requests.

Ongoing Funding Requests

1. Two Juvenile Law Clerk Attorneys

Judge Westmoreland and Daniel Meza Rincon on behalf of the Board of Juvenile Court Judges requested \$278,700 ongoing funding for two additional Law Clerk Attorney positions for the Juvenile Court. The Utah Juvenile Court currently has three dedicated law clerks serving 33 judges across the state. The current clerk-to-judge ratio in the juvenile court is 1:11. Funding these positions will improve the clerk-to-judge ratio to 1:6.6 and increase the resources and assistance available to Utah's juvenile court bench.

2. 5th District Court Case Manager

Cade Stubbs requested \$14,4800 ongoing funds for a District Court Case Manager in the Fifth District. The Fifth District Court received an additional judicial officer in the most recent legislative session. Bringing on an additional judge and two additional judicial assistants illuminated the need for an additional case manager to help support both the growing staff and the growing bench.

3. Appellate Court Conference Funds

Lauren Anderson and Nick Stiles requested \$35,000 in ongoing funds to support annual training and conference for the Court of Appeals judges and Supreme Court justices.

4. Director of Administrative Services

Ron Gordon and Neira Siaperas on behalf of the Administrative Office of the Courts requested \$5,000 in one-time funding and \$190,000 in ongoing funding to create a new department director position within the AOC.

5. Employee and Judicial Officer Wellness Resources-Tava

Neira Siaperas and Karl Sweeney requested \$94,600 one-time funding for wellness resources to continue providing court employees, judicial officers, and their dependents with continued access to essential wellness resources through the Tava contract. Judicial officers joined the Judiciary's Tava contract in April 2026 as the Utah Bar discontinued their coverage.

Carryforward into FY 2027 1x Funding Requests

1. Public Transit Reimbursement Program

Suzette Deans and Karl Sweeney requested \$61,200 one-time funds for the FY 2027 public transit partial reimbursement program. This would provide up to 96 Court employees state-wide with an

opportunity to receive 90% reimbursement of the costs paid for utilizing public transit until the carryforward funds are depleted. The program currently averages 96 participants per month.

2. Education Assistance Program Funding

Alisha Johnson requested \$85,000 for education assistance program funding to assist employees who seek further education to perform their jobs more effectively and to enhance their professional development. This request will subsidize education assistance for court employees for FY 2027.

3. HR Applicant Tracking

Bart Olsen and Jeremy Marsh requested \$23,700 one-time funding for an HR Applicant Tracking System. HR requested another year of funding for these solutions to properly protect the Judiciary as an employer and the information security of applicants seeking to fill employment opportunities with the Judiciary.

4. IT Contract Developers

Brody Arishita requested \$682,000 one-time funding for IT contract developers. This request for retaining the current experienced contract developers is critical for the ability to deliver essential development projects for the courts.

5. IT Network/Systems Maintenance Staff

Todd Eaton and Chris Talbot requested \$50,000 one-time funding for IT network/systems maintenance staff. This request establishes a fund for maintenance, repairs, and other non-technical tasks statewide, ensuring IT staff can stay focused on higher-value work. It covers labor, travel, and necessary hardware.

6. IT Replacement Inventory

Todd Eaton requested \$364,000 one-time funding for IT replacement inventory. This request will support the replacement of various equipment, including laptops, scanners, printers, desktop computers for courtrooms, and other peripherals that enhance court staff productivity. This funding allows IT to maintain the established five-year laptop replacement cycle and address the replacement of other essential peripherals as they reach end-of-life or experience failure.

7. IT Tech Subject Matter Expert Stipend

Todd Eaton and Taz Hatch requested \$65,000 one-time funding for IT tech subject matter expert stipends. IT received approval in May 2023 to designate up to 30 court employees as Technical Subject Matter Experts (TSMEs) to support District and Juvenile courts statewide with specialized IT skills. The program has been successful, delivering value to the 25+ sites served by TSMEs and providing crucial support to the Service Desk. TSMEs provide hands-on support as needed and handle a growing number of local tickets each month, reducing the demand at the Service Desk. In

many cases, having local support drastically shortens the time needed to resolve simple IT issues, ensuring faster service for court staff. The stipend is set at \$100 per pay period.

8. Incentive Awards

Bart Olsen, Erin Rhead and Alisha Johnson requested \$560,000 one-time funding for employee incentive awards. The Judiciary has established a program to provide on-the-spot recognition for outstanding service as well as a formal nomination process to reward employees. The incentive can be issued in cash or a gift card.

9. Contingent Bridge Funding for Protective Order Facilitator

Amy Hernandez requested \$32,500 one-time funding for a Protective Order Facilitator. The funding would support the program facilitator's position including the facilitator's personnel, fringe benefits, travel, and other miscellaneous costs for FY 2027.

Motion: Judge Rita Cornish made a motion to approve all funding requests. Judge McCullagh seconded the motion, and it passed unanimously

10. All Rise Dinner and Meet N Greet

Jon Puente requested \$20,000 one-time funds for the All Rise Dinner and Meet N Greet. This dinner introduces primarily first-year law students from all backgrounds to members of the bench and practicing lawyers to build their connections with the local legal community.

Karl Sweeney additionally requested that funding for the All Rise Dinner be contingently approved, from one-time funds to ongoing funding when the money is available.

Motion: Justice Paige Petersen moved to approve transitioning funding for the All Rise program from one-time funding to ongoing funding, contingent upon the availability of funds. Judge McCullagh seconded the motion, and it passed unanimously.

Final JCTST Funding Request for FY 2027

Jim Peters requested approval for funding for the Justice Court Technology, Security and Training Account (JCTST) in the amount of \$1,243,400. During the 2026 General Session, the Legislature used a portion of the fund to offset ongoing general fund reductions to the Judiciary, placing the reserve at risk of depletion. In response, the Judicial Council approved expenditures up to the legislative maximum for FY26, and the Board of Justice Court Judges recommended adopting the same approach for FY27 by approving expenditures totaling the full legislative appropriation of \$1,243,400.

Motion: Judge McCullagh moved to approve funding for the JCTST account in the amount of \$1,243,400. Judge Chris Bown seconded the motion, and it passed unanimously.

Justice for Families Grant GAP (Amy Hernandez and Jordan Murray)

Jordan Murray requested approval to apply for the federal Justice for Families Program grant administered through the Office on Violence Against Women. The proposed three-year grant, totaling approximately \$650,000, would provide continued funding for the Family Safety Facilitation pilot program beyond the expiration of its current grant in Fiscal Year 2027.

Amy Hernandez reported that the pilot program has demonstrated positive outcomes by increasing safety for petitioners, respondents, and their children while receiving favorable feedback from court users. She explained that the grant requires no matching funds from the Judiciary and would not impact the operating budget during the grant period. Ms. Hernandez indicated that additional grant opportunities or state funding would be pursued upon the grant's expiration if continued funding is needed.

Motion: Judge Cornish made a motion to approve the grant application, as presented. Judge McCullagh seconded the motion, and it passed unanimously.

6. JUDICIAL CONDUCT COMMISSION (Alex Peterson)

Alex Peterson, Executive Director of the Judicial Conduct Commission (JCC), provided the Commission's biannual update. He reported that Commission membership remains stable, with one attorney member appointment anticipated next year due to the upcoming expiration of a current member's term. Mr. Peterson reported that the Commission's caseload continues to increase, with approximately 210 assigned cases projected for the year, resulting in additional personnel demands. He clarified that this figure reflects matters accepted within the Commission's jurisdiction for preliminary investigation rather than all complaints received. During the reporting period, the Commission issued three public disciplinary dispositions and three dismissals with warnings. One additional matter is currently pending before the Utah Supreme Court.

Mr. Peterson discussed an emerging policy issue regarding the intersection of JCC proceedings and attorney discipline administered through the Office of Professional Conduct (OPC). He explained that the Commission will now continue disciplinary proceedings when a judge resigns or retires, resulting in formal Commission action and recommendations to the Supreme Court. He noted that, under the current framework, once the JCC has acted on a matter, the OPC may no longer have jurisdiction to pursue separate attorney discipline arising from the same conduct. Judicial Council members discussed the statutory authority of the JCC, noting that the Commission's jurisdiction is limited to judicial misconduct and does not extend to attorney discipline or misconduct occurring outside an individual's judicial capacity.

Mr. Peterson also provided an update on the Commission's review of its policies, procedures, and security practices following the unauthorized disclosure of confidential investigative materials. He stated that a special committee has been established to evaluate internal policies, administrative rules, and potential statutory changes. Planned operational improvements include implementing encrypted JCC email domains and secure document-sharing systems, strengthening confidentiality protections, expanding annual commissioner training and recertification, and hiring a case manager/privacy

officer to oversee records management and privacy compliance.

He also outlined several proposed administrative rule amendments, including revisions related to commissioner reconsideration requests, ex parte communications, and the placement of confidentiality requirements into administrative rules. Potential statutory amendments under consideration include clarifying the scope of confidential JCC proceedings, strengthening confidentiality provisions, and evaluating additional sanctions for unauthorized disclosures. Mr. Peterson indicated that draft rules and statutory proposals are expected to be presented to the Commission during the summer for further consideration before any legislative discussions.

Council members discussed the importance of maintaining confidence in the judicial disciplinary process and acknowledged that recent events have raised significant concerns regarding confidentiality and public trust. Mr. Peterson expressed appreciation for the support provided by the Administrative Office of the Courts and State Court Administrator during the Commission's recent efforts.

7. BOARD OF JUSTICE COURT JUDGES REPORT (Judge Clay Stucki and Jim Peters)

Judge Clay Stucki presented the biannual report on the Justice Courts. He highlighted ongoing efforts to strengthen the court system through strategic consolidation, education, operational improvements, and enhanced small claims practices. He reported that the Board of Justice Court Judges continues to view consolidation as an important long-term strategy. Judge Stucki emphasized the critical role justice courts play in resolving misdemeanor cases before they reach the district courts, noting that eliminating county justice courts would significantly increase district court caseloads and require substantial additional judicial resources.

Judge Stucki reported significant progress in education and training. He described the judicial assistant certification program, expanded Learning Management System courses, webinars, annual conferences, and district-level training as major improvements that have enhanced consistency and professionalism statewide. Jim Peters discussed ongoing outreach to mayors, city councils, county commissioners, and other local officials to improve understanding of the Judiciary's independent role and the responsibilities of justice courts. He noted continued efforts to standardize the title of Judicial Assistant across justice courts to better reflect the complexity of the position and promote consistent classification among local governments.

Judge Stucki discussed improvements to internal control self-assessments and audit compliance. The Board has worked collaboratively with the internal Audit Department to develop a more proactive framework for identifying and correcting deficiencies. Mr. Peters reported that a proposed rule addressing the revised assessment process has been developed in collaboration with stakeholders and will be presented to the Policy and Planning Committee for consideration.

Judge Stucki also highlighted ongoing efforts to improve small claims proceedings through enhancements to Online Dispute Resolution (ODR), updates to the justice court bench book,

improvements to bulk-filing processes, expanded judicial training, and additional support for pro tempore judges.

8. REQUEST TO EXPAND TERRITORIAL JURISDICTION (Jim Peters)

Jim Peters presented a request for the expansion of territorial jurisdiction of the Tremonton Justice Court. Mr. Peters reported that Tremonton City and Garland City approved an interlocal agreement in June 2026. Mr. Peters requested that the Judicial Council approve expanding the territorial jurisdiction of Tremonton City Justice Court to include Garland City.

Motion: Judge Amber Mettler moved to approve the expansion of territorial jurisdiction of Tremonton Justice Court to include Garland City. Judge James Gardner seconded the motion, and it passed unanimously.

9. JUSTICE COURT CLOSURES (Michael Drechsel)

Michael Drechsel led a discussion regarding justice court closures and the resulting impact on district courts. He reviewed recent developments, including planned court closures, anticipated increases in district court caseloads, and the need for an adequately funded and structured framework before additional responsibilities are shifted to the district courts. Mr. Drechsel also discussed whether expanding the role of district court commissioners could help address anticipated increases in criminal case filings. Judicial Council members expressed concerns that continued Justice Court closures without corresponding funding or structural changes would significantly increase delays in district court proceedings.

Mr. Drechsel reviewed the Council's prior justice court reform recommendations and noted that subsequent developments. Council members reaffirmed their support for the recommendations previously adopted by the Council while recognizing the need to identify practical interim solutions for the upcoming legislative discussions. Members agreed that additional guidance should be developed to address the immediate impacts of justice court closures and to inform the Legislature of the operational consequences if additional resources are not provided.

Motion: Judge Susan Eisenman made a motion for the existing Justice Court Reform ad hoc committee to convene and assist the Assistant State Court Administrator and Judge Gardner to develop supplemental recommendations and potential interim strategies for consideration by the Judicial Council. Justice Petersen seconded the motion, and it passed unanimously.

10. 2027 JUDICIAL COUNCIL SCHEDULE (Ron Gordon)

The Judicial Council reviewed the proposed 2027 Judicial Council meeting schedule. Ron Gordon led a discussion regarding the practice of scheduling the March Judicial Council meeting in conjunction with the Utah State Bar Spring Convention in St. George. He reviewed past in person attendance by Judicial Council members at the convention. Judicial Council members agreed to keep the meeting in St. George and to encourage participation from members in person.

Motion: Judge Michael Direda made a motion to approve the 2027 Judicial Council schedule as recommended with the amendment for scheduling the July meeting on July 19, 2027. Justice Petersen seconded the motion, and it passed unanimously.

11. RULES FOR FINAL APPROVAL (Keisa Williams)

Keisa Williams presented recommended amendments to CJA Rules 4-906 and 4-906.03. Ms. Williams recommended that the rules be approved on an expedited basis with a June 22, 2026, effective date, followed by a 45-day public comment period.

Motion: Judge Christine Johnson moved to approve CJA Rules 4-906 and 4-906.03 on an expedited basis as recommended, with a June 22, 2026, effective date followed by a 45-day public comment period. Judge Mettler seconded the motion, and it passed unanimously.

12. CONSENT CALENDAR (Associate Chief Justice Jill Pohlman)

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

13. EXECUTIVE SESSION

Motion: Judge Cornish made a motion to move into executive session for the purpose of discussing the collective bargaining or litigation. Judge Gardner seconded the motion, and it passed unanimously.

Justice Pohlman and Justice Petersen recused themselves and left the meeting prior to the executive session.

An executive session was held.

14. ADJOURN (Associate Chief Justice Jill Pohlman)

The meeting was adjourned.

Tab 2

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

Minutes

June 8, 2026

**Meeting held virtually through WebEx
12:00 p.m. – 1:00 p.m.**

Members Present:

Judge Rita Cornish (Chair)
Kristin Woods
Judge Susan Eisenman

Guests:

Mark Urry
Brett Folkman
Russ Pearson
Commissioner Joanna Ssagers
Linda Ekker
Chris Morgan
Shonna Thomas
Evan Guymon
Nicholas McCullagh
Cami Newey
Cade Stubbs
Evie Brinkerhoff
Amy Hernandez
Mark Paradise

Excused:

Judge Michael DiReda
Alisha Johnson

AOC Staff Present:

Ron Gordon
Neira Siaperas
Nick Stiles
Brody Arishita
Todd Eaton
Shane Bahr
James Peters
Bart Olsen
Erin Rhead
Tina Sweet
Jeremy Marsh
Esme Blanco
Daniel Meza-Ricon
Lauren Andersen
Keri Sargent
Jon Puente
Karl Sweeney
Jordan Murray
Kelly Moreira
Suzette Deans, Recording Secretary

Call to Order and Approval of Prior Minutes

Judge Rita Cornish called the meeting to order after confirming a quorum was present. Committee members and presenters were welcomed, and Judge Cornish noted that the agenda was larger than usual due to the number of funding requests scheduled for consideration.

Motion: Judge Susan Eisenman made a motion to approve May 2026 meeting minutes. Kristin Woods seconded the motion. With no discussion or opposition, the motion passed unanimously.

Financial Reports – Year-to-Date Financials

Karl Sweeney presented the year-to-date financials.

Ongoing Turnover Savings

Mr. Sweeney reported that ongoing turnover savings exceeded expectations for the month. Rather than meeting the projected \$65,000 in savings, the Judiciary realized approximately \$120,000 in ongoing turnover savings. In addition, employee benefit costs shifted from a projected deficit to a positive balance of approximately \$6,000, a \$42,000 positive swing that further improved the overall ongoing savings outlook.

Mr. Sweeney indicated that June was also expected to produce favorable results and noted that the additional available funds would provide greater flexibility when considering funding requests later in the meeting.

Committee members expressed appreciation for the improved financial position.



FY 2026 Ongoing Turnover Savings as of 06/03/2026 - Period 11

#		Prior Month	Forecast	Actual	Forecasted	Change in Forecast
		Amount @ YE	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)	987,404		1,106,549	1,106,549	119,145
1	Ongoing Turnover Savings FY 2026 (forecast \$65,000 / month x 1 months, Salary Differential only)	130,000		-	65,000	(65,000)
	TOTAL SALARY RELATED ONGOING SAVINGS	1,255,987		1,245,131	1,310,131	54,145
	Benefit Differential Savings FY 2026 (will be recognized in this row starting in Q4)	(36,150)		6,137	6,137	42,287
	TOTAL SAVINGS	1,219,837		1,251,269	1,316,269	96,432
2	2026 Annual Authorized Hot Spot Raises	(200,000)		(199,333)	(200,000)	-
	TOTAL USES	(200,000)		(199,333)	(200,000)	-
	Total Actual/Forecasted Unencumbered Turnover Savings for FY 2026	1,019,837		1,051,935	1,116,269	96,432

One-Time Turnover Savings

Mr. Sweeney reviewed the one-time turnover savings report and explained that recent fluctuations were largely attributable to timing issues associated with implementation of the new Vantage payroll system. Although the reported savings declined by approximately \$18,000 during the reporting period, he emphasized that these represented timing differences rather than actual reductions in projected savings.

The Finance Department expects the payroll system issues to continue improving as staff become more familiar with the new system and anticipates stable projections through year end using the current estimate of approximately \$600 per pay hour.

Judge Cornish asked about the progress of the Vantage payroll implementation. Mr. Sweeney explained that while a few isolated payroll timing issues remained, the transition was steadily improving for each pay period, and no significant long-term concerns were anticipated.



FY 2026 One Time Turnover Savings - Period 10

Updated as of Pay Period Ending 05/22/2026 (1,872 out of 2,088 hours)

#		Funding Type	Actual Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 04/10/2026)	Internal Savings	1,342,609
2	Est. One Time Savings for remaining pay hours (216 @ \$600 / pay hour)	Internal Savings (Est.)	129,600
Total Potential One Time Savings		3	1,472,209

Prior Report Totals (as of PPE 04/10/2026) 1,490,321
FY 2025 Final 3,072,760

Forecasted Available One-Time Funds

Mr. Sweeney reviewed the forecast of available one-time funds and reported that Finance was maintaining the projected \$200,000 in operational savings without increasing the estimate. Approximately \$165,000 of those anticipated savings had already been identified through commitments from Trial Court Executives and other departments, with confidence that the remaining balance would be realized by fiscal year-end.

He noted that additional operational savings beyond the current projection were possible, but Finance preferred to maintain a conservative forecast until the fiscal year closed.



FY 2026 Year End Requests and Forecasted Available One-time Funds - Period 11

Forecasted Available One-time Funds			#	One-time Spending Plan Requests	Adjusted Requests Amount	Judicial Council Approved Amount
Description	Funding Type	Amount				
Sources of YE 2026 Funds						
* Turnover Savings as of PPE 05/22/2026	Turnover Savings	1,342,609				
Turnover savings Estimate for the rest of the year (\$600 x 216 pay hours)	Turnover Savings	129,600				
Total Potential One Time Turnover Savings		1,472,209				
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(250,000)				
(a) Total Potential One Time Turnover Savings Less Discretionary Use		1,222,209				
Operational Savings From TCE / AOC Budgets - mid-year forecast	Internal Operating Savings	649,910				
Expected additional operational savings for balance of fiscal year	Internal Operating Savings	200,000				
Operational Savings from IT Budget - Timing of Contract Renewal Deferred to FY 27	Internal Operating Savings	400,000				
Reserve Balance (balance from FY 2025 Carryforward)	Judicial Council Reserve	700				
Use IT Budget Savings and Operational Savings to Increase Retro YOS Eligibility	Adjustments to CY Operations	(462,000)				
(b) Total Operational Savings, Reserve, Unclaimed Property and Prior Year Adjustments		788,610				
(c) Total of Turnover Savings & Operational Savings = (a) + (b)		2,010,819				
Uses of YE 2026 Funds						
(d) Carryforward into FY 2027 (Anticipate request to Legislature for \$3,200,000)	FY 2027 Carryforward	(2,010,819)				
Total Potential One Time Savings = (c) less Carryforward (d)		-				
Less: Judicial Council Requests Previously Approved		-				
Less: Judicial Council Current Month Spending Requests		-				
Remaining Forecasted Funds Available for FY 2026 YE Spending Requests, CCCF, etc.		-				

Updated 06/04/2026

Current Month One-time Spending Requests -

Previously Approved 1x FY 2025 YE Spending Request -

Last reported expected carryforward: \$2,028,931

Carry Forward and Ongoing Requests

Mr. Sweeney reviewed the carry forward funding worksheet and explained several updates that had been made since the previous meeting.

The forecasted unused "Investing in Our People" ongoing funds had been updated from approximately \$100,000 to \$122,800 based on more accurate projections of employee eligibility for the one-dollar-per-hour compensation increase. Lower than anticipated employee turnover resulted in additional available funds because fewer newly hired employees qualified for the increase during the fiscal year.

Mr. Sweeney also explained revisions to the funding worksheet following discussions with Finance leadership. Several district court requests were moved into the unobligated fiscal note funding category in order to better align those requests with the legislative appropriations that intended to fund district court operations. Conversely, a juvenile court request was moved into the ongoing funding category to better match the source of available funds.

He further explained that the Court Visitor Specialist pilot program had been divided between one-time and ongoing funding sources. The attorney fee portion of the pilot is now proposed to be funded with one-time money because the program is experimental and has not yet demonstrated a permanent funding need. Once the pilot concludes, the Judiciary can determine whether ongoing funding should be requested.

Judge Cornish asked for clarification regarding the relationship between available district court fiscal note funding and the requested expenditures from unobligated fiscal note funds, observing that the total requests appeared to exceed available funding. Mr. Sweeney explained that the difference would be covered through ongoing turnover savings as these funds were fungible to move between categories.

No additional questions were raised regarding the financial reports.



FY 2027 Carryforward and Ongoing Requests - Period 11, FY 2026

6/4/2026

Funding Sources

	One Time	Ongoing
Ongoing Turnover Savings carried over from FY 2025		\$ 138,582
Forecasted YE Ongoing Turnover Savings from FY 2026		\$ 1,177,686
Forecasted Unused Ongoing Investing in Our People Comp Track Increase, FY 2026 (estimated)		\$ 122,800
Subtotal		\$ 1,439,068
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	\$ 2,010,819	\$ -
Total Available Funding	\$ 2,101,319	\$ 1,708,468
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		\$ (200,000)
Net Available for Use	\$ 2,101,319	\$ 1,508,468

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

	Presented		Judicial Council Approved	
	One Time	Ongoing	One Time	Ongoing
1 Education Judicial Assistant Training Support - Lauren Andersen		\$ 34,000		
** 2 Court Visitor Specialist and Pilot Program Attorney - Shonna Thomas, Keri Sargent	\$ 130,000	\$ 108,250		
* 3 Sixth District Clerical Training Coordinator - Linda Ekker		\$ 102,000		
4 8th District Additional Judicial Assistant FTE - Russell Pearson		\$ 90,600		
** 5 Sixth District Clerical Team Manager - Linda Ekker		\$ 112,300		
Subtotal	\$ 130,000	\$ 447,150	\$ -	\$ -

Ongoing Requests

	Presented		Judicial Council Approved	
	One Time	Ongoing	One Time	Ongoing
Prior Approved Ongoing Commitments				
Investing in Our People - Ron Gordon and Neira Siaperas		\$ 370,000		\$ 370,000
8th District Probation Training Coordinator - Russell Pearson		\$ 52,500		\$ 52,500
Juvenile Court ICJ Funding Increase - Daniel Meza Rincón		\$ 7,000		\$ 7,000
Ongoing Requests - For Consideration				
1 Two Additional Juvenile Law Clerk Attorneys - Judge Westmoreland, Daniel Meza Rincón		\$ 278,700		
2 5th District Court Case Manager - Cade Stubbs		\$ 14,800		
3 Appellate Court Conference Funds - Lauren Andersen, Nick Stiles		\$ 35,000		
4 Director of Administrative Services- Ron Gordon, Neira Siaperas	\$ 5,000	\$ 190,000		
Subtotal to Approve and Fund Immediately	\$ 5,000	\$ 948,000	\$ -	\$ 429,500
Balance Remaining After Judicial Council Approvals				\$ 1,078,968
Balance Remaining Inclusive of "Presented"		\$ 113,318		

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		
* 4	IT Contract Developers - Brody Arishita	\$	682,000		
* 5	IT Network/Systems Maintenance Staff - Todd Eaton/Chris Talbot	\$	50,000		
* 6	IT Replacement Inventory - Todd Eaton	\$	364,000		
* 7	IT Tech Subject Matter Expert Stipend - Todd Eaton/Taz Hatch	\$	65,000		
* 8	Incentive Awards - Bart Olsen, Erin Rhead and Alisha Johnson	\$	560,000		
* 9	Employee Wellness Resources - Tava - Neira Siaperas and Karl Sweeney	\$	94,600		
* 10	Contingent Bridge Funding for Protective Order Program Facilitator - Amy Hernandez	\$	32,500		
* 11	All Rise Utah Welcome Dinner - Jon Puente	\$	20,000		
* 12	Tooele Courtroom Funding - Mark Paradise 3rd District TCE	\$	1,285,000		
Subtotal		\$	3,323,000	\$	-
Balance Remaining After Judicial Council Approvals				\$	2,101,319
+ Balance Remaining Inclusive of "Presented"		\$	(1,356,681)	\$	1,078,968

LEGEND

Highlighted items are currently being or have been presented to the BFMC

Highlighted items have been previously presented to the BFMC

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.

Ongoing Funds Requests

1. 5th District Case Manager Upgrade from JA

Cade Stubbs, accompanied by Fifth District Clerk of Court Tricia Bradshaw, presented a \$14,800 request to convert one of the judicial assistant positions associated with the newly authorized Fifth District judgeship into a district court case manager position.

Mr. Stubbs explained that while the Fifth District was grateful to receive an additional district court judge during the legislative session, the district had not anticipated the approval and therefore had not requested additional supervisory staffing during the legislative process. The proposal would convert one new judicial assistant position into a case manager position using \$14,800 in ongoing turnover savings.

Mr. Stubbs requested that if ongoing funding was unavailable immediately, the request be placed in the preferred ongoing funding category for consideration later during Fiscal Year 2027.

Judge Susan Eisenman asked whether future requests for additional judges should routinely include associated case manager requests. Mr. Stubbs responded that he believed this would be advisable moving forward, explaining that the Fifth District simply had not expected legislative approval of the new judgeship.

Judge Eisenman also asked whether neighboring districts could assist with case management responsibilities. Mr. Stubbs responded that nearby districts were already experiencing staffing challenges and had not been identified as a practical solution.

Ron Gordon added that previous judicial officer requests had successfully included case manager positions when the staffing need was anticipated, reinforcing that such requests are appropriate when supported by workload analyses.

Action was deferred until later in the meeting.

2. Incremental Funding for Appellate Court Conferences

Lauren Andersen, accompanied by Nick Styles, presented a request for \$35,000 in ongoing funding to establish a dedicated funding source for appellate court judicial officers attending the Appellate Judges Education Institute (AJEI) conference.

Ms. Andersen explained that appellate judges currently utilize the Judiciary's limited judicial scholarship fund to attend the annual conference, reducing scholarship opportunities available to district, juvenile, and justice court judges. By creating a dedicated appellate conference fund, scholarship funds currently used for appellate attendance would become available to support approximately twelve additional judicial scholarships statewide.

She further explained that appellate judges previously held larger in-state educational conferences but had shifted toward participation in the national conference. As a result, the existing appellate conference budget had been substantially reduced over time.

Judge Cornish summarized that the proposal would both preserve appellate educational opportunities and expand scholarship access for trial court judges. Ms. Andersen confirmed that this was the intent.

Action was deferred until later in the meeting.

3. AOC Department of Administrative Services Director

Ron Gordon presented a \$195,000 request to establish an Administrative Services Department within the Administrative Office of the Courts.

Mr. Gordon explained that the AOC continues to absorb new responsibilities assigned by the Legislature without receiving corresponding staffing resources. While individual responsibilities often do not justify an additional full-time employee, the cumulative effect has created a need for centralized leadership and oversight.

He explained that the proposed department would consolidate administrative responsibilities currently dispersed throughout the organization. Although specific programs had not yet been identified for inclusion, no structural changes would occur without committee and leadership input.

Judge Cornish thanked Mr. Gordon for providing additional background information before the meeting. No committee questions were raised.

Action was deferred until later in the meeting.

Carryforward Fund Requests

1. IT Contract Developers

Brody Arishita presented a request for \$682,000 in one-time funding to continue utilizing contract developers, database administrators, and system administrators to support major information technology initiatives across the Judiciary.

Mr. Arishita explained that the contract resources allow Information Technology to accelerate software development and infrastructure projects while maintaining existing systems. Current projects supported by these contractors include the CORIS rewrite, the Appellate Case Management System rewrite, development of the disaster recovery site in St. George, and implementation of new server infrastructure throughout the Judiciary.

He noted that without these contract resources, project timelines would be significantly delayed, and existing IT staff would be unable to complete both operational support and development work. He also explained that the contractors provide flexibility because resources can be added or released as project needs change.

Judge Rita M. Cornish asked whether the request could be partially funded if sufficient funds were unavailable to support the entire amount. Mr. Arishita explained that although the request supports several different contractors performing different functions, any level of funding would be beneficial. Partial funding would allow the department to retain at least some contractor support rather than eliminating all contract resources, which would substantially slow project completion.

Karl Sweeney reminded the committee that this request had been presented to the Legislature for several consecutive years but had consistently received only one-time funding or been unfunded. He emphasized that these contractors had become integral members of the Information Technology team and continued to provide essential expertise for the Judiciary's technology initiatives.

Action was deferred until later in the meeting.

2. IT Network/System Maintenance Staff

Todd Eaton presented a request for \$50,000 to continue funding contracted assistance for network maintenance and other technical support activities.

Mr. Eaton explained that the funding allows the Information Technology Division to contract for work such as cabling installations, office reconfigurations, wireless access point installations, courtroom audio repairs, battery backup installations, and similar technical infrastructure projects. Utilizing outside contractors for these responsibilities allows Information Technology staff to remain focused on higher-level technical work.

Committee members did not have additional questions.

Action was deferred until later in the meeting.

3. IT Replacement Inventory

Todd Eaton next presented a request for \$364,000 to maintain the Judiciary's technology replacement schedule.

He explained that the funding supports replacement of laptop computers on a five-year cycle while also providing resources to replace aging monitors, printers, scanners, and other technology equipment as needed.

Mr. Eaton noted that the committee's approval of additional funding during the previous fiscal year allowed the Information Technology Division to purchase equipment before significant price increases caused by AI-related data center demand. Since those purchases, laptop prices have more than doubled making continued annual funding increasingly important.

Without this request, replacement cycles would need to be extended, increasing equipment failures and reducing employee productivity.

Action was deferred until later in the meeting.

4. IT Tech Subject Matter Expert Stipend

Todd Eaton presented a \$65,000 request to continue the Information Technology Subject Matter Expert program.

He explained that the program, established in 2023, provides a modest stipend to designated employees throughout the state who assist local courts with routine technology issues. These employees serve as local contacts for minor troubleshooting tasks, including docking station setup, printer issues, courtroom equipment resets, and other routine technical problems.

Twenty-four of the twenty-five designated positions are currently filled. Mr. Eaton reported that the program has significantly improved response times for technology issues while reducing the workload placed on the central Information Technology Help Desk.

Action was deferred until later in the meeting.

Information Technology Funding Discussion

Following discussion of the IT funding requests, Judge Susan Eisenman asked why the Judiciary continues to experience difficulty obtaining legislative funding for its Information Technology needs when technology funding appears to be more readily available for other branches of state government.

Ron Gordon explained that the Judiciary's technology requests generally fall into several categories. Some requests involve software licensing costs, such as Microsoft Office licensing, which the Judicial Council elected to fund internally after the Legislature declined to provide ongoing funding. As a result, those licensing requests are no longer brought forward.

Mr. Gordon explained that other requests, particularly those involving contract developers and specialized technical services, present a policy question regarding whether recurring contractual expenses should be funded with ongoing or one-time appropriations. Although these services are needed every year, the Legislature has historically been reluctant to provide ongoing appropriations for contract services. Consequently, the Judiciary continues requesting one-time funding annually to maintain those resources.

Karl Sweeney added that the Executive and Legislative branches benefit from a statewide Information Technology organization funded through an internal service fund, allowing technology costs to be distributed through agency assessments rather than requiring annual legislative requests. Because the Judiciary maintains its own independent technology infrastructure, it does not have access to that funding mechanism and must instead seek appropriations directly from the Legislature to support many of its technology initiatives.

The committee acknowledged the unique challenges facing the Judiciary's technology funding and concluded the discussion.

5. Incentive Awards

Bart Olson presented a \$560,000 request for one-time funding to continue employee incentive awards.

Mr. Olson explained that the Judiciary has utilized employee incentive awards for many years to recognize outstanding employee performance. Last year, the funding increased from \$280,000 to \$560,000 as part of the Investing in Our People initiative. Although the Legislature did not approve employee compensation increases during the most recent legislative session, management believes that continuing the incentive award program remains an important tool for employee recognition and retention.

Judge Cornish asked for clarification regarding the relationship between this request and the Investing in Our People initiative. Mr. Olson confirmed that this request represents continuation of the one-time incentive award component that was funded during the previous fiscal year.

Action was deferred until later in the meeting.

6. Employee Wellness Resources

Neira Siaperas presented a \$94,600 request to continue funding the Judiciary's employee wellness program.

Ms. Siaperas explained that the request should more accurately be described as supporting both employees and judicial officers because judicial officers and their dependents were added to the Tava mental health services contract earlier in the year after similar services through the Utah State Bar became unavailable.

She reported that, after several years of participation, the Judiciary now has sufficient utilization data to more accurately project annual costs. As a result, the requested funding amount has decreased while still supporting anticipated demand. She also noted that unused sessions generate credits that reduce future contract costs.

The requested funding of \$94,600 would continue access to confidential counseling and wellness services for employees, judicial officers, and eligible dependents.

Action was deferred until later in the meeting.

7. Contingent Bridge Funding for Protective Order Facilitator

Amy Hernandez presented a request for approximately \$32,000 in one-time bridge funding to support the Protective Order Facilitator pilot program.

Ms. Hernandez explained that the position is currently funded through a federal grant that was originally awarded in 2025. Due to federal government delays, the grant period was shortened and is currently scheduled to expire in September 2026. Although the funding agency is expected to approve a no-cost extension through July 2027, approval has not yet been finalized.

The requested bridge funding would primarily cover employee benefit costs for Protective Order Facilitator Cammy Newby during any temporary funding gap until the federal extension is approved.

Judge Cornish asked whether the bridge funding would still be necessary if the federal extension were granted. Ms. Hernandez responded that it would not and any unused funds would be returned.

Judge Susan Eisenman asked what employee benefits were included within the request. Ms. Hernandez explained that the funding would cover required employment costs such as Social Security, retirement contributions, and unemployment insurance.

Committee members expressed appreciation for the successful outcomes already being achieved through the pilot program.

Action was deferred until later in the meeting.

8. Tooele Courtroom Funding

Mark Paradise presented a \$1,285,000 request for funding to complete construction of an additional courtroom within the Tooele courthouse.

Mr. Paradise explained that the unfinished courtroom represents the only remaining available courtroom space within the Third District that can be developed to accommodate future judicial needs. Although the district recently received an additional district court judge, weighted caseload projections continue to show substantial growth, particularly within Tooele County.

The completed courtroom would initially support shared use by existing judicial officers, including Judge Hogan, Judge Higbee, and the district commissioner, while positioning the Judiciary to accommodate future judicial officer requests as caseloads continue to increase.

Judge Susan Eisenman asked whether a new judge had already been assigned to occupy the courtroom. Mr. Paradise explained that no full-time judicial officer is currently designated for the space. Instead, the request is intended to prepare for anticipated growth while also providing additional flexibility for existing judicial officers who currently share courtroom space.

Judge Eisenman also asked whether the existing juvenile courtroom could provide additional capacity. Mr. Paradise explained that the juvenile courtroom is already utilized by the district commissioner each week and has limited additional availability.

Judge Cornish thanked Mr. Paradise for the presentation.

Prioritization and Approval

Following the conclusion of all funding requests, Karl Sweeney reviewed the committee's available funding and discussed options for prioritizing the requests before forwarding recommendations to the Judicial Council.

Mr. Sweeney advised the committee that updated financial projections indicated sufficient ongoing funding would be available to support all ongoing requests without establishing priorities. For one-time requests, he recommended that the Tooele courtroom build-out be placed last in priority because alternative capital funding sources may be available for that project. He further recommended moving the Employee Wellness Resources (Tava) request from one-time funding into the ongoing funding category, allowing all remaining one-time requests to be accommodated within available funding.

Judge Cornish summarized the recommendation as deferring the Tooele courtroom build-out while funding the Employee Wellness Resources request with ongoing funds and approving the remaining requests within their available funding categories for forwarding to the Judicial Council.

Motion: Judge Susan Eisenman made a motion to adopt the recommended funding approach. The motion was seconded by Ms. Woods. Judge Cornish called for discussion. Hearing no abstentions or opposing votes, and the motion passed unanimously.

Following the vote, Karl Sweeney noted that previous judicial officer requests submitted to the Legislature had included additional case manager and team manager positions but that legislative modifications to those requests often resulted in only judicial assistant positions being funded.

Final JCTST Funding for FY 2027

James Peters presented the annual recommendations for expenditures from the Justice Court Technology, Security, and Training Account for Fiscal Year 2027.

Mr. Peters explained that the JCTST Account is a restricted account funded through statutory surcharges assessed on moving violations. The Legislature authorizes annual appropriations from the account, while the Board of Justice Court Judges reviews project requests and submits funding recommendations to the Budget and Fiscal Management Committee for consideration before forwarding them to the Judicial Council.

Mr. Peters noted that committee members had previously reviewed the proposed expenditures contained in the meeting materials and offered to answer any questions regarding the recommendations.

Committee members indicated they had no questions regarding the proposed expenditures.

Judge Rita M. Cornish made a motion to recommend approval of the Fiscal Year 2027 Justice Court Technology, Security, and Training funding recommendations to the Judicial Council. Judge Susan Eisenman seconded the motion. Judge Cornish called for discussion, and hearing

none, requested any abstentions or opposing votes. There were no abstentions or opposing votes, and the motion passed unanimously.

Justice for Families Grant GAP

Jordan Murray and Amy Hernandez presented a request for authorization to apply for a federal Justice for Families Program grant through the Office on Violence Against Women.

Mr. Murray explained that the proposed three-year grant application, totaling approximately \$650,000, would allow the Judiciary to continue the existing Family Safety Facilitation Pilot Program beyond the expiration of its current grant funding in Fiscal Year 2027. Because the program is already operational, no additional judicial or administrative staffing would be required during the grant period. He noted, however, that once the grant concludes in Fiscal Year 2029, the Judiciary would need to pursue either additional grant funding or ongoing state funding if the program is to continue.

Mr. Murray also expressed confidence in the program's future funding prospects, citing Amy Hernandez's successful history of obtaining competitive grant funding for domestic violence initiatives.

Ms. Hernandez explained that approximately \$300,000 of the requested grant would support the Protective Order Facilitator position currently held by Cami Newey during Fiscal Years 2028 and 2029. The remaining grant funds would support the Judiciary's community partner and other required program expenses. She explained that the application would continue the successful pilot program previously established through collaboration with the National Council of Juvenile and Family Court Judges.

Judge Cornish confirmed that the grant would continue funding for the Protective Order Facilitator position currently occupied by Cami Newey.

Committee members asked no additional questions regarding the application.

Motion: Judge Rita Cornish made a motion to recommend that the Judicial Council authorize submission of the Justice for Families Program grant application. Kristin Woods seconded the motion. Judge Cornish called for discussion. Hearing no abstentions or opposing votes, the motion passed unanimously.

Old Business/New Business

There was no old business presented.

Meeting adjourned at 1:00 p.m.

Next Meeting July 13, 2026

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

Webex video conferencing
June 5, 2026 – 12 p.m.

MEMBERS:

PRESENT

EXCUSED

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

GUESTS:

Keri Sargent
Shane Bahr
Jon Puente
Jessica Vázquez-Leavitt
Ramon Rudecindo
Jace Willard
Samantha Starks
Shane Bahr

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) meeting. PP&T considered the minutes from the May 1, 2026 meeting. With no changes, Judge Johnson moved to approve the minutes as presented. Judge Gardner seconded the motion. The motion passed unanimously.

(2) CJA 4-206. Exhibits:

The Utah Rules of Evidence Committee (URE Committee) presented new proposed URE 107, Illustrative Aids (modeled after FRE 107), to the Supreme Court. The Court asked the URE Committee to coordinate with other relevant rules committees to make related changes. Jace Willard presented proposed amendments to rule 4-206 to address the treatment of illustrative aids.

The committee discussed the "if requested" language in URE 107 derived from the federal rule, noting that it seemed vague for an administrative rule and did not specify if the request must come from a party. Mr. Willard explained that the Evidence Committee's intent was to grant the court maximum discretion rather than making the marking of illustrative aids mandatory in all instances. The committee noted that the word "require" in 4-206 sounded too forceful and suggested using "the court may permit," recognizing from practical trial experience that a judge may hesitate to "order" an aid into the record for fear it could be construed by the jury as an endorsement of fact, making "may permit" or "may order" more accurate to actual judicial actions.

Additionally, Keri Sargent advised changing the phrase "or included in the court record" to "and included in the court record," clarifying from a clerical perspective that if an item is marked on the exhibit list, it inherently becomes part of the record.

After further discussion, Judge Gardner moved to contingently approve sending rule 4-206 to the Judicial Council upon finalization of URE 107 with a recommendation that it be posted for a 45-day public comment period. Judge Fannesbeck seconded the motion. The motion passed unanimously.

(3) CJA 3-421. Working Interdisciplinary Network of Guardianship Stakeholders (WINGS):

Keri Sargent presented amendments designed to provide greater flexibility for community stakeholders serving on the WINGS committee. The changes exempt these specific representatives from standard term limits, allowing experienced community members to remain on the committee or easily cycle in replacements as needed. Following discussion, the committee changed "Coordinator" to lowercase on line 47. "Court Visitor Program Coordinator" was updated to "Court Visitor Program specialist" on line 47 to reflect the new title designated by the HR department.

With no further discussion, Judge Fannesbeck moved to send rule 3-421 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.

(4) H.B. 372. Child welfare changes (GAL Oversight):

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

Among other things, H.B. 372 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*). In May, the Council directed PP&T to prepare amendments to rule 4-903 creating a 3-member panel of the GAL Oversight Committee to review appeals related to GAL complaints, including a requirement that the meetings be closed and a provision regarding confidentiality similar to language found in 4-906.

The committee discussed recommending that the newly formed Oversight Committee draft its own procedural policies, subject to final approval by the Judicial Council. The committee debated the scope of "GAL records" subject to audit. Concerns were raised regarding the protection of highly sensitive information, with committee members noting that GAL files frequently contain private medical records that never enter the official court docket. The committee emphasized existing language requiring that the review process maintain confidentiality and avoid interfering with a fair trial or pending matter by adding "maintain confidentiality and will" to rule 4-906 on line 36. Following discussion on rule 4-906.03, paragraph (2)(B)(iv) was amended to: "Panel meetings will be closed." The remainder of that paragraph was removed.

Following further discussion, Judge Johnson moved to recommend to the Judicial Council that amendments to rule 4-906, and new rules 4-906.01, 4-906.02, and, 4-906.03 be approved on an expedited basis with a June 22, 2026 effective date, followed by a 45-day public comment period. Judge Fannesbeck seconded the motion. The motion passed unanimously.

**(5) *State of Utah v. Mitton*, 2026 UT 11
State of Utah v. Mitton, 2024 UT App 44**

The Court of Appeals attempted to clarify the procedures for trial judges handling disqualification motions during a criminal jury trial. However, the Supreme Court declared the Court of Appeal's guidance as non-binding, reaffirming that procedural rules must be codified through the rulemaking process rather than embedded in caselaw, and subsequently referred the matter to its advisory committees and the Judicial Council. The committee reviewed the opinions and agreed that establishing procedures for mistrials and double jeopardy exceptions is a matter for the Rules of Criminal Procedure Committee.

Following discussion, the committee determined that no action should be taken.

Technology report/proposals:

Mr. Arishita reported that the Tech Advisory Subcommittee (TAC) will meet on June 29 to review draft language for implementing a statewide system for submitting digital exhibits. Also, TAC is conducting its annual review of the emergency response plan. Pre-approved communication templates are being developed to streamline the issuance of statewide notifications during an emergency, removing the need to draft messaging in real-time.

Old Business/New Business:

None.

Adjourn: With no further items, the meeting adjourned at 12:47 p.m. The next meeting will be held on July 10, 2026, at 12:00 p.m. via Webex video conferencing.

Tab 3

**Budget and Grants Agenda
For July 27, 2026
Judicial Council Meeting**

1. Monthly YTD Financials Alisha Johnson
(Item 1 - Information)
 - FY 2026 Ongoing Turnover Savings – Per 12
 - FY 2026 One Time Turnover Savings – Per 12
 - FY 2026 JC Year End Spending Plan – Per 12
 - Carryforward and Ongong TOS Requests – Per 12

2. Budget and Grants - Domestic Violence Program VAWA Report..... Amy Hernandez
(Item 2 – Information)

3. Grant Application Proposals Karl Sweeney
(Item 3 – Action)
 1. Justice for Families Training Subaward..... Amy Hernandez and Karl Sweeney
 2. Bar Foundation Grant for Regulatory Reform Report Design..... Nick Stiles and Karl Sweeney
 3. State Asset Forfeiture Grant Renewal..... Katy Erickson and Karl Sweeney

Item 1



FY 2026 Ongoing Turnover Savings as of 07/02/2026 - Period 12

#		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)	1,106,549		1,187,379	1,187,379	80,830
1	Ongoing Turnover Savings FY 2026 (forecast \$65,000 / month x 0 months, Salary Differential only)	65,000		-	-	(65,000)
	TOTAL SALARY RELATED ONGOING SAVINGS	1,310,131		1,325,961	1,325,961	15,830
	Benefit Differential Savings FY 2026 (will be recognized in this row starting in Q4)	6,137		72,720	72,720	66,583
	TOTAL SAVINGS	1,316,269		1,398,681	1,398,681	82,413
2	2026 Annual Authorized Hot Spot Raises	(200,000)		(200,000)	(200,000)	-
	TOTAL USES	(200,000)		(200,000)	(200,000)	-
	Total Actual/Forecasted Unencumbered Turnover Savings for FY 2026	1,116,269		1,198,681	1,198,681	82,413

- * 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 \$72,720. Prior report benefit differential was \$6,137.
FY 2025 full year benefit differential was +\$201,339.
- * Currently, 24 FTE are vacant. This is up from the last report where 18.5 FTE were vacant.
- 1 Currently forecasting \$65,000 of ongoing Salary Differential savings a month for the remainder of the FY; actual run rate is \$1,187,379 / 12 months = \$98,948/month
- 2 Authority was delegated from the Judicial Council to the State Court Administrator/Deputy in October 2022 to expend up to \$200,000 annually.

Definitions:

Salary Differential - the annualized difference in salary and salary related benefits between a prior employee and a replacement employee.
Recognized when a new employee is hired.

Benefit Differential - the annualized difference in medical and dental benefit cost between a prior employee and a replacement employee.
Recognized in Q4 of the fiscal year and only after benefits are selected.



FY 2026 One Time Turnover Savings - Period 12

Updated as of Pay Period Ending 06/19/2026 (2,032 out of 2,088 hours)

			Actual
#		Funding Type	Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 06/19/2026)	Internal Savings	1,308,597
2	Est. One Time Savings for remaining pay hours (56 @ \$600 / pay hour)	Internal Savings (Est.)	33,600
Total Potential One Time Savings			3 1,342,197

Prior Report Totals (as of PPE 05/22/2026) 1,472,209
FY 2025 Final 3,072,760

- Actual per hour turnover savings for the last 4 pay periods (oldest to newest): \$1,444.34, -\$52.01., \$388.15, and -\$561.21. The average per hour turnover savings for FY 2026 YTD: \$643.99. Last report's average was \$717.21.
- 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.



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

Updated 07/02/2026



FY 2027 Carryforward and Ongoing Requests - Period 12, FY 2026

7/2/2026

Funding Sources

	One Time	Ongoing
Ongoing Turnover Savings carried over from FY 2025		\$ 138,582
Forecasted YE Ongoing Turnover Savings from FY 2026		\$ 1,260,099
Unused Ongoing Investing in Our People Comp Track Increase, FY 2026		\$ 126,705
Subtotal		\$ 1,525,386
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	\$ 1,930,807	\$ -
Total Available Funding	\$ 2,021,307	\$ 1,794,786
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		\$ (200,000)
Net Available for Use	\$ 2,021,307	\$ 1,594,786

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

		Presented		Judicial Council Approved	
		One Time	Ongoing	One Time	Ongoing
1	Education Judicial Assistant Training Support - Lauren Andersen		\$ 34,000		\$ 34,000
*^ 2	Court Visitor Specialist and Pilot Program Attorney - Shonna Thomas, Keri Sargent	\$ 130,000	\$ 108,250	\$ 130,000	\$ 108,250
* 3	Sixth District Clerical Training Coordinator - Linda Ekker		\$ 102,000		\$ 102,000
4	8th District Additional Judicial Assistant FTE - Russell Pearson		\$ 90,600		\$ 90,600
*^ 5	Sixth District Clerical Team Manager - Linda Ekker		\$ 112,300		\$ 112,300
Subtotal		\$ 130,000	\$ 447,150	\$ 130,000	\$ 447,150

Ongoing Requests

		Presented		Judicial Council Approved	
		One Time	Ongoing	One Time	Ongoing
Prior Approved Ongoing Commitments					
Investing in Our People - Ron Gordon and Neira Siaperas			\$ 370,000		\$ 370,000
8th District Probation Training Coordinator - Russell Pearson			\$ 52,500		\$ 52,500
Juvenile Court ICJ Funding Increase - Daniel Meza Rincón			\$ 7,000		\$ 7,000
Ongoing Requests - For Consideration					
1	Two Additional Juvenile Law Clerk Attorneys - Judge Westmoreland, Daniel Meza Rincón		\$ 278,700		\$ 278,700
2	5th District Court Case Manager - Cade Stubbs		\$ 14,800		\$ 14,800
3	Appellate Court Conference Funds - Lauren Andersen, Nick Stiles		\$ 35,000		\$ 35,000
4	Director of Administrative Services- Ron Gordon, Neira Siaperas	\$ 5,000	\$ 190,000	\$ 5,000	\$ 190,000
5	Employee and Judicial Officer Wellness Resources - Tava - Neira Siaperas and Karl Sweeney		\$ 94,600		\$ 94,600
* 6	All Rise Welcome Dinner - Jon Puente		\$ 20,000		\$ 20,000
Subtotal to Approve and Fund Immediately		\$ 5,000	\$ 1,062,600	\$ 5,000	\$ 1,062,600
Balance Remaining After Judicial Council Approvals					\$ 85,036
Balance Remaining Inclusive of "Presented"			\$ 85,036		

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		\$ 61,200	
* 2	Education Assistance Program - Alisha Johnson	\$ 85,000		\$ 85,000	
* 3	HR Applicant Tracking System - Bart Olsen, Jeremy Marsh	\$ 23,700		\$ 23,700	
* 4	IT Contract Developers - Brody Arishita	\$ 682,000		\$ 682,000	
* 5	IT Network/Systems Maintenance Staff - Todd Eaton/Chris Talbot	\$ 50,000		\$ 50,000	
* 6	IT Replacement Inventory - Todd Eaton	\$ 364,000		\$ 364,000	
* 7	IT Tech Subject Matter Expert Stipend - Todd Eaton/Taz Hatch	\$ 65,000		\$ 65,000	
* 8	Incentive Awards - Bart Olsen, Erin Rhead and Alisha Johnson	\$ 560,000		\$ 560,000	
9	Contingent Bridge Funding for Protective Order Program Facilitator - Amy Hernandez	\$ 32,500		\$ 32,500	
*^ 10	Tooele Courtroom Funding - Mark Paradise 3rd District TCE	\$ 1,285,000			
	Defer #10 past FY 2027 carryforward	\$ (1,285,000)			
Subtotal		\$ 1,923,400	\$ -	\$ 1,923,400	\$ -
Balance Remaining After Judicial Council Approvals				\$ (37,093)	\$ 85,036
+	Balance Remaining Inclusive of "Presented"	\$ (37,093)	\$ 85,036		

LEGEND

Highlighted items are currently being or have been presented to the BFMC

Highlighted items have been previously presented to the BFMC

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.

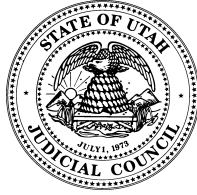
+ - One-time balance remaining is available to go into Judicial Council reserve. Ongoing balance remaining will be included in the beginning balance for ongoing turnover savings.

^ - 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.

Item 2



Administrative Office of the Courts

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

July 6, 2026

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

MEMORANDUM

TO: The Budget and Fiscal Management Committee
The Judicial Council

FROM: Amy Hernandez, Domestic Violence Program Manager

RE: VAWA Stop Abuse Formula Grant Governing Body Report

The Administrative Office of the Courts' Domestic Violence Program (DVP) currently receives funding from the Violence Against Women Act's Stop Abuse Formula Grant (i.e., the "VAWA grant"). The VAWA grant requires the DVP to provide grant updates biannually to the Judicial Council as the governing body over the DVP. These grant updates are as follows:

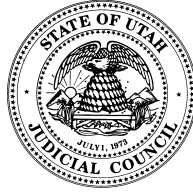
- 1) **FY 2026 Budget Spending.** During FY 2026, the DVP utilized VAWA grant funds to accomplish the following:
 - Sent two judicial officers to specialized domestic violence training (\$5k);
 - Provided conference speakers for judicial training (\$1.5k);
 - Supported the DV Courts in Grand County and Wasatch County with
 - Court patron brochures with resources (\$1k),
 - Free domestic violence treatment evaluations for indigent defendants (\$3k), and
 - Program evaluation and tracking (\$3k); and
 - Enhanced programming for MyCase to ensure that the Utah Courts remain compliant with victims' rights requirements (\$60k).
- 2) **Grant Objectives and Progress.** The DVP has successfully completed the goals and objectives for the VAWA grant. From January to July of 2026 (to date):
 - The DV Courts in Wasatch County and Grand County monitored 68 defendants and their compliance with judicial orders.
 - The DVP directly trained or facilitated training for 590 participants. These trainings centered upon the best practices for cases involving domestic violence, sexual violence, dating violence, protective orders, and stalking.

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.

- As part of the DV Courts project, the DVP hosted and managed stakeholder meetings which discussed the DV Courts project, provided training to stakeholders, and problem-solved regional issues affecting domestic violence services.
- The Protective Order Pilot Program, which allowed petitioners to submit audio and video evidence with their protective order or stalking injunction request, provided services to petitioners in the fifth and eighth districts. Victim advocates have reported that this service significantly improves protective order outcomes (i.e., higher likelihood of a temporary protective order being granted).

The DVP will provide additional updates in FY 2027 regarding the VAWA grant (goal completion and budget reports). The Domestic Violence Program Manager looks forward to discussing these updates with the Budget and Fiscal Management Committee and Judicial Council. Thank you.

Item 3



Administrative Office of the Courts

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

July 13, 2026

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

MEMORANDUM

TO: The Budget and Fiscal Management Committee
The Judicial Council

FROM: Amy Hernandez (Domestic Violence Program Manager)
Jordan Murray (Grant Coordinator)

RE: Justice for Families Program (Training Subaward)

The Domestic Violence Program requests to accept \$6,000 in grant funding from the Citizens Against Physical and Sexual Abuse (CAPSA). This grant would support in-person judicial training in the First District. If approved, this funding will be issued as a subaward through the FY 2023-2026 Justice for Families (JFF) Program grant.

The Utah Courts are already collaborative partners with CAPSA on the FY 2023-2026 JFF grant. In 2023, the Utah Courts supported CAPSA's application for the JFF grant, which required a court partner, with a letter of support indicating that the Courts would serve as a non-financial partner. CAPSA requested and received all of the JFF grant funding at that time.

CAPSA is now offering \$6,000 to the Administrative Office of the Courts from their current JFF grant to support judicial training costs. This funding would pay for training costs to host an in-person training from the National Council of Juvenile and Family Court Judges (NCJFCJ) in the First District. The Domestic Violence Program would work with the NCJFCJ team to set up the training, and the training would only be open to judicial officers.

If this request is approved, the Domestic Violence Program would not need to apply for these funds. Instead, CAPSA would submit a grant amendment to the Office on Violence Against Women with an amended memorandum of understanding, outlining the subaward and its purpose. This funding opportunity would allow judicial officers to access nationally recognized training to improve how the courts respond to cases with domestic violence. I look forward to discussing this request and potential training opportunity with you; thank you.

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.

1. GRANT APPLICANT INFORMATION

Applicant Name & Title:	Amy Hernandez, Domestic Violence Program Manager		
Applicant Phone:	(801) 578-3809	Email:	amymh@utcourts.gov
District or Court Area:	Domestic Violence Program (Administrative Office of the Courts) & First District		

2. GRANT DETAILS

Awarding Agency:	Office on Violence Against Women, US Department of Justice	
Passthrough Agency:	Citizens Against Physical and Sexual Abuse (CAPSA)	
Grant or Project Title:	Justice for Families Program (JFF)	
Grant Classifications (select all that apply)	☒ New Grant	☐ Continuation Grant
	☐ Primary Recipient	☒ Pass-through Recipient
	☒ Federal Funds	☐ Non-Federal Funds
Amount Requested:	\$6,000	
Project Dates:	October 1, 2023 – September 30, 2026	
Application Deadline:	N/A	

3. PROPOSED PROJECT & USE OF GRANT FUNDS

A. Please summarize the work you intend to fund with the grant. How will the grant project support the mission of the Utah State Courts “to provide the people an open, fair, efficient, and independent system for the advancement of justice under the law?” How will this grant provide measurable benefits to marginalized, minority, pro se, or similar underserved individuals or communities?

This grant will support the mission of the Utah Courts by providing specialized training to judicial officers. The funding will support the training expenses for the domestic violence (DV) team from the National Council of Juvenile and Family Court Judges (NCJFCJ) to provide training about DV and best practices for cases involving DV. This training will help judicial officers improve access to justice to pro se litigants and underserved individuals experiencing DV.

B. Please provide details on the judicial and/or administrative resources required for this project during the grant period, including whether you intend to use the grant funding to hire new employees. If hiring a new employee with grant funding, explain their intended duties, anticipated effort (hours per week), proposed hourly rate, and whether the position will be temporary or permanent.

This funding strictly covers training-related expenses for judicial officers. No additional court resources will be required to carry out the project in the post-award phase.

C. What future funding or policy obligations does this project create once the grant funding has been fully expended, and what funding sources will be considered?

No additional state funding will be required, nor will there be policy-related obligations resulting from this award.

D. What are the consequences if this project is not funded?

Alternate sources of funding would be required to cover training-related expenses for our judicial officers. The training will not be provided if no alternate funding is identified.

4. ANTICIPATED BUDGET

Complete the budget table with estimated expenditures for up to three state fiscal years.

- ☐ This grant requires cash-matching (complete the **orange** and **blue** cells below and describe)
Describe matching requirement:
- ☐ This grant requires in-kind matching (complete the **orange** and **blue** cells below and describe)
Describe matching requirement:
- ☒ This grant requires neither cash nor in-kind contributions (complete **blue** cells only)

State Fiscal Year	Estimated Grant Expenditures	Cash Match or In-kind Contributions (source & amount)				
		General Fund	Dedicated Credits ¹	Restricted Account ²	Maintenance of Effort	Total Cash or In-kind
2027	\$6,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2028						
2029						

¹ Utah Code Section 63J-1-102, "dedicated credits" refer to collections by an agency that fund agency operations. This includes assessments and sales of goods and services.

² Utah Code Section 63N-3-102, "restricted account" is a specific account within the General Fund designated for particular purposes, such as the Industrial Assistance Account.

5. RESOURCE IMPACT ASSESSMENT

The resource impact assessment is completed by the **grant coordinator** using information provided by the grant applicant and other project stakeholders.

Section A. Authorization Process (Executive & Legislative Branches)

When federal or non-federal grants received by the Judicial Branch change after the Federal Funds Request Summary (FFRS) has been approved by the legislature during the regular session in March, the changes may require approval depending on certain criteria. Some changes may have a higher impact on the state's budget than others. This is referred to as the "Impact Level." The impact level determines what level of approval is required before the Judicial Branch may spend any additional funds beyond what was authorized in the annual FFRS.

☐ If awarded, this grant will be authorized through the FFRS in the regular legislative session; no additional reporting to the Executive Appropriations Committee (EAC) is required.

☒ If awarded, this grant will fall outside of the legislative session. Authorization to spend funds will be obtained through the interim process where the following impact levels determine the degree of authorization required before funds may be spent:

☒ **Tier 1 - Low**

Non-Federal. At least \$10k but no more than \$50k per year, and no new permanent full or part time employees; and no new state monies required as match (report GAP with Judicial Council approval to LFA and EAC only). **Federal.** Up to \$1M per year; and no new permanent full or part-time employees; and no new state monies required for match (report GAP approved by Judicial Council to LFA, Office of Legislative Research & General Counsel, and EAC).

☐ **Tier 2 - Medium**

Non-Federal. Greater than \$50k but less than \$1M per year; or adds more than zero but less than 11 permanent full or part time employees; or requires state to expend up to \$1M per year in new state monies as match (submit GAP with Judicial Council approval to EAC for review and recommendations). **Federal.** Greater than \$1M but less than \$10M per year; adds more than zero but less than 11 permanent full or part time employees; or requires state to expend up to \$1M per year in new state monies as match (submit GAP approved by the Judicial Council to the federal funds request summary to EAC for review & recommendations).

☐ **Tier 3 - High**

Non-Federal. Greater than \$1M per year; or adds more than 11 permanent full or part time employees; or requires the state to expend greater than \$1M per year in new state monies as match (submit GAP with Judicial Council approval to the Legislature for review to approve or reject the grant). **Federal.** Greater than \$10M per year; or adds more than 11 permanent full or part time employees; or requires state to expend greater than \$1M per year in new state monies for match (submit GAP approved by the Judicial Council to the federal funds request summary to Legislature for approval or rejection in an annual general session or special session).

Section 2. Resource Impact Assessment

Assess the capacity of impacted court areas to successfully support the grant at current staffing levels.³

No project-related activities nor deliverables are associated with this award. Funding strictly supports training expenses for judicial officers.

Assess the anticipated incremental impacts to AOC resources once grant funds are expended.⁴

No incremental impacts to AOC resources are anticipated once grant funds are expended.

This grant application proposal has been reviewed by:

- ☐ Court Executive and/or applicable Board of Judges,
- ☒ AOC Grant Coordinator and Finance Director,
- ☐ The Utah Supreme Court (UCJA Rule 3-105);

and approved by the Judicial Council on Date



State Court Administrator
Administrative Office of the Courts

³ UCJA Rule 3-411 (4)(a)(i)

⁴ UCJA Rule 3-411 (4)(a)(ii)



Nicholas Stiles
Appellate Courts Administrator

Nicole I. Gray
Clerk of Court

Supreme Court of Utah

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

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

Matthew B. Durrant	Chief Justice
Jill M. Pohlman	Associate Chief Justice
Paige Petersen	Justice
John J. Nielsen	Justice
Jay T. Jorgensen	Justice
Stephen P. Dent	Justice

To: Budget and Fiscal Management Committee, Utah Judicial Council

From: Nick Stiles, Co-Chair, Utah Supreme Court's Regulatory Reform Committee

Re: Request to Submit - Grant Proposal

Date: July 2, 2026

The Utah Bar Foundation recently invited the Supreme Court to submit a grant request to fund a graphic designer for the regulatory reform final report. Please find below the proposal that will be submitted to the Utah Bar Foundation.

The Utah Supreme Court respectfully requests \$10,000 in grant funding from the Utah Bar Foundation to retain a professional graphic designer for the Regulatory Reform Committee's upcoming report on the key findings and recommendations related to Utah's Legal Sandbox. Professionally designing this document ensures that complex regulatory frameworks are highly accessible, engaging, and digestible for the legal community, policymakers, and the public.

Furthermore, ensuring this report is fully digitally accessible is a core component of the Court's dedication to access to justice. By designing the report to comply with modern digital accessibility standards, we ensure it remains completely readable and navigable for all individuals, including those with visual, cognitive, or physical disabilities who rely on assistive technologies.

Utah has been a national leader in legal regulatory innovation, primarily through the launch and oversight of the Legal Sandbox. As the Regulatory Reform Committee prepares its final report on the outcomes and long-term recommendations for alternative legal regulation, the presentation of this information is critical. To ensure the findings are effectively communicated to stakeholders – both within Utah and nationally – the Court requires professional design expertise to transform data, case studies, and systemic frameworks into clear visual narratives.

The requested funding will be used exclusively to contract a professional graphic designer with experience in data visualization of regulatory matters and public-interest publishing.

The publication of the Regulatory Reform Committee's final report will mark a significant milestone in the evolution of how we regulate the practice of law in Utah. The report will serve as a definitive blueprint for alternative regulation in Utah and for other jurisdictions considering reform. With the Utah Bar Foundation's financial support, the Court can ensure these vital insights and recommendations are presented in a clear and polished format and are digitally accessible for all audiences. Ultimately, this partnership will advance our shared mission to make the legal system more transparent, inclusive, and accessible to everyone. Thank you very much for considering our request.

Requested Funding: \$10,000

Respectfully,

Nick Stiles
Appellate Courts Administrator

1. GRANT APPLICANT INFORMATION

Applicant Name & Title:	Nick Stiles, Appellate Courts Administrator; Co-Chair, Utah Supreme Court Regulatory Reform Committee		
Applicant Phone:	801-578-3900	Email:	nicks@utcourts.gov
District or Court Area:	Utah Supreme Court		

2. GRANT DETAILS

Awarding Agency:	Utah Bar Foundation		
Grant or Project Title:	Regulatory Reform Final Report - Graphic Design Services		
Grant Classifications (select all that apply)	☒ New Grant	☐ Continuation Grant	
	☒ Primary Recipient	☐ Pass-through Recipient	
	☐ Federal Funds	☒ Non-Federal Funds	
Amount Requested:	\$10,000		
Project Dates:	FY-2027		
Application Deadline:	N/A		

3. PROPOSED PROJECT & USE OF GRANT FUNDS

A. Please summarize the work you intend to fund with the grant. How will the grant project support the mission of the Utah State Courts “to provide the people an open, fair, efficient, and independent system for the advancement of justice under the law?” How will this grant provide measurable benefits to marginalized, minority, pro se, or similar underserved individuals or communities?

The Utah Supreme Court requests \$10,000 in grant funding from the Utah Bar Foundation (UBF) to contract with a professional graphic designer for the Regulatory Reform Committee’s final report on the key findings, outcomes, and recommendations related to Utah’s Legal Sandbox.

The grant funds would be used exclusively for professional graphic design services, including report layout, data visualization, public-facing document design, and digital accessibility formatting. The purpose of the project is to

ensure that the Committee's final report presents complex regulatory frameworks, data, case studies, and policy recommendations in a clear, accessible, and engaging format for the legal community, policymakers, the public, and other jurisdictions considering similar reforms.

This project supports the mission of the Utah State Courts "to provide the people an open, fair, efficient, and independent system for the advancement of justice under the law" by improving public understanding of Utah's legal regulatory reform efforts and by making the final report more accessible to a broad audience. The project also supports access to justice by ensuring that the report is designed to comply with modern digital accessibility standards, making it readable and navigable for individuals who rely on assistive technologies, including individuals with visual, cognitive, or physical disabilities.

The measurable benefit of the project will be the completion and publication of a professionally designed, digitally accessible final report. The report will help communicate the results and recommendations of Utah's Legal Sandbox in a format that is easier for stakeholders, including underserved individuals and communities, to understand and use.

B. Please provide details on the judicial and/or administrative resources required for this project during the grant period, including whether you intend to use the grant funding to hire new employees. If hiring a new employee with grant funding, explain their intended duties, anticipated effort (hours per week), proposed hourly rate, and whether the position will be temporary or permanent.

This project does not require hiring any new court employees. Grant funding would be used for a one-time professional services contract with a graphic designer.

The contractor's work would include graphic design, report layout, data visualization, document formatting, and digital accessibility design for the Regulatory Reform Committee's final report. The contractor would be temporary and project-based, with services limited to completion of the final report.

Existing Appellate Courts and Regulatory Reform Committee staff would support the project by coordinating with the selected designer, providing report content and feedback, reviewing draft design materials, and approving the final product. AOC Finance and Purchasing would provide the standard administrative support necessary to process any required purchasing or contracting documents, establish the grant unit, track expenditures, and process payment. The project is expected to be manageable within current staffing levels because the funded activity is limited in scope and does not create a new program, position, or recurring operational responsibility.

C. What future funding or policy obligations does this project create once the grant funding has been fully expended, and what funding sources will be considered?

This project is not expected to create any ongoing funding or policy obligations after the grant funds have been expended. The grant would support a one-time professional services contract for the design and accessibility formatting of the Regulatory Reform Committee's final report. No new permanent or temporary court positions would be created, and no ongoing state funding commitment is anticipated.

D. What are the consequences if this project is not funded?

If this project is not funded, the Regulatory Reform Committee's final report may need to be completed without professional design support or with more limited internal resources. This could reduce the clarity, accessibility, and public usability of the report, particularly because the report is expected to address complex regulatory frameworks, data, case studies, and recommendations. Without professional design and accessibility support, the final report may be less effective in communicating Utah's regulatory reform work to the legal community, policymakers, the public, and other jurisdictions.

4. ANTICIPATED BUDGET

Complete the budget table with estimated expenditures for up to three state fiscal years.

- ☐ This grant requires cash-matching (complete the **orange** and **blue** cells below and describe)
Describe matching requirement:
- ☐ This grant requires in-kind matching (complete the **orange** and **blue** cells below and describe)
Describe matching requirement:
- ☒ This grant requires neither cash nor in-kind contributions (complete **blue** cells only)

State Fiscal Year	Estimated Grant Expenditures	Cash Match or In-kind Contributions (source & amount)				
		General Fund	Dedicated Credits ¹	Restricted Account ²	Maintenance of Effort	Total Cash or In-kind
2027	\$10,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2028						
2029						

¹ Utah Code Section 63J-1-102, "dedicated credits" refer to collections by an agency that fund agency operations. This includes assessments and sales of goods and services.

² Utah Code Section 63N-3-102, "restricted account" is a specific account within the General Fund designated for particular purposes, such as the Industrial Assistance Account.

5. RESOURCE IMPACT ASSESSMENT

*This section is completed by the **grant coordinator** using information provided by the grant applicant and other project stakeholders.*

Section A. Authorization Process (Executive & Legislative Branches)

When federal or non-federal grants received by the Judicial Branch change after the Federal Funds Request Summary (FFRS) has been approved by the legislature during the regular session in March, the changes may require approval depending on certain criteria. Some changes may have a higher impact on the state's budget than others. This is referred to as the "Impact Level." The impact level determines what level of approval is required before the Judicial Branch may spend any additional funds beyond what was authorized in the annual FFRS.

☐ *If awarded, this grant will be authorized through the FFRS in the regular legislative session; no additional reporting to the Executive Appropriations Committee (EAC) is required.*

☒ *If awarded, this grant will fall outside of the legislative session. Authorization to spend funds will be obtained through the interim process where the following impact levels determine the degree of authorization required before funds may be spent:*

☒ **Tier 1 - Low**

Non-Federal: At least \$10k but no more than \$50k per year, and no new permanent full or part time employees; and no new state monies required as match (report GAP with Judicial Council approval to LFA and EAC only). **Federal:** Up to \$1M per year; and no new permanent full or part-time employees; and no new state monies required for match (report GAP approved by Judicial Council to LFA, Office of Legislative Research & General Counsel, and EAC).

☐ **Tier 2 - Medium**

Non-Federal: Greater than \$50k but less than \$1M per year; or adds more than zero but less than 11 permanent full or part time employees; or requires state to expend up to \$1M per year in new state monies as match (submit GAP with Judicial Council approval to EAC for review and recommendations). **Federal:** Greater than \$1M but less than \$10M per year; adds more than zero but less than 11 permanent full or part time employees; or requires state to expend up to \$1M per year in new state monies as match (submit GAP approved by the Judicial Council to the federal funds request summary to EAC for review & recommendations).

☐ **Tier 3 - High**

Non-Federal: Greater than \$1M per year; or adds more than 11 permanent full or part time employees; or requires the state to expend greater than \$1M per year in new state monies as match (submit GAP with Judicial Council approval to the Legislature for review to approve or reject the grant). **Federal:** Greater than \$10M per year; or adds more than 11 permanent full or part time employees; or requires state to expend greater than \$1M per year in new state monies for match (submit GAP approved by the Judicial Council to the federal funds request summary to Legislature for approval or rejection in an annual general session or special session).

Section B. Resource Impact Assessment

Assess the capacity of impacted court areas to successfully support the grant at current staffing levels.³

The impacted court areas have capacity to support this grant at current staffing levels. The project will be led by the Utah Supreme Court's Regulatory Reform Committee, with support from existing Appellate Courts' administrative staff. The funded activity is limited to a one-time professional services contract for graphic design and digital accessibility formatting of the Committee's final report. The project will require coordination with the selected contractor, review of design drafts, and approval of the final report design. These activities are expected to be manageable with existing staff capacity.

Assess the anticipated incremental impacts to AOC resources once grant funds are expended.⁴

No incremental resource impacts are anticipated. AOC Finance and Purchasing staff would provide standard administrative support for grant setup, budget tracking, purchasing or contracting coordination, invoice processing, and closeout. The project is not expected to create ongoing workload for AOC resources after the grant funds are fully expended, as the grant is limited to a one-time \$10,000 professional services contract, does not require matching funds, and does not create any new employees or ongoing obligations.

This grant application proposal has been reviewed by:

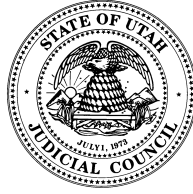
- ☐ Court Executive and/or applicable Board of Judges,
- ☒ Grant Coordinator and Finance Director,
- ☒ The Utah Supreme Court (UCJA Rule 3-105);

and approved by the Judicial Council on Date

State Court Administrator
Administrative Office of the Courts

³ UCJA Rule 3-411 (4)(a)(i)

⁴ UCJA Rule 3-411 (4)(a)(ii)



Administrative Office of the Courts

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

July 13, 2026

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

MEMORANDUM

TO: The Budget & Fiscal Management Committee (BFMC)
The Judicial Council

FROM: Katy Erickson, Statewide Treatment Court Administrator
Cris Seabury, Statewide Treatment Court Certification Coordinator
Shane Bahr, District Court Administrator
Jordan Murray, Financial Manager

RE: Grant Application Proposal (Renewal) – Treatment Courts FY-2027 State Asset
Forfeiture Grant (SAFG)

We respectfully request approval to submit a grant renewal application to the Utah Commission on Criminal and Juvenile Justice (CCJJ) for their upcoming cycle of SAFG funds. The FY-2027 SAFG application requests \$50,000 in funding from CCJJ to support travel and training costs associated with this fiscal year's treatment court conferences as well as to provide additional court-type and role-specific training.

SAFG funding has historically provided \$25,000 annually for these purposes. As in FY-2026, we are again seeking an additional \$25,000 in one-time funding, bringing the total request to \$50,000.

This increase is requested at the recommendation of the Statewide Treatment Court Steering Committee (STCSC), citing rising per diem rates and facility costs. The awarding agency, CCJJ, has once again encouraged submission of the expanded request to address this year's funding needs. The additional \$25,000 would allow the courts to maintain the planned conference programming (with additional conference speakers) and fund travel expenses for judicial officers and court staff.

Thank you.

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.

I. GRANT APPLICANT INFORMATION

Applicant Name & Title:	Katy Erickson, Statewide Treatment Court Administrator		
Applicant Phone:	385-326-4896	Email:	katye@utcourts.gov
District or Court Area:	Treatment Courts		

II. GRANT DETAILS

Awarding Agency:	Commission on Criminal and Juvenile Justice (CCJJ)		
Grant or Project Title:	State Asset Forfeiture Grant (SAFG)		
Grant Classifications (select all that apply)	☐ New Grant	☒ Continuation Grant (Renewal)	
	☒ Primary Recipient	☐ Pass-through Recipient	
	☐ Federal Funds	☒ Non-Federal Funds	
Amount Requested:	\$50,000		
Project Dates:	July 1, 2026 – September 30, 2027		
Application Deadline:	N/A		

III. PROPOSED PROJECT & USE OF GRANT FUNDS

A. Please summarize the work you intend to fund with the grant. How will the grant project support the mission of the Utah State Courts “to provide the people an open, fair, efficient, and independent system for the advancement of justice under the law?” How will this grant provide measurable benefits to marginalized, minority, pro se, or similar underserved individuals or communities?

Treatment courts are one of the most effective programs in existence to address substance use and mental health disorders. Treatment courts are effective because of a collaborative team-based approach that is centered in the National Association of Drug Court Professionals' (NADCP) Best Practice Standards.

Individuals who are involved with the criminal justice system who live with substance use and mental health disorders are most likely to succeed when they participate in a treatment court where team members adhere to best

practice standards. Utah State Courts will utilize the additional funds to provide treatment court training to specific courts types and roles during this odd fiscal year. During the even years of the funding cycle, the Utah State Courts in partnership with the Department of Substance Abuse and Mental Health (DSAMH) co-sponsor a treatment court training every other year for teams across the state. Team members include: judges, prosecutors, defense counsel, and treatment, probation, law enforcement and court staff. SAFG funds will be utilized to cover the training/travel expenses for judges and court staff. Local and national experts will be present to provide training to team members and team members will work on program improvement plans during and after the conference. Training is best delivered in a team setting where practitioners/team members can learn from each other and better understand the unique roles of each team member. SAFG funding will be used to help bring team members together to one location where they will benefit from the instruction of state and national experts. Funds provided by the SAFG are for one-time application and do not constitute an ongoing project for which incremental Court resources are required. The post-award phase will directly support the costs associated with travel and training expenses for treatment court specific training.

All Rise provides training to over 7,000 treatment court professionals annually at its national conference – the largest training conference in the nation addressing substance abuse and crime. RISE27 is specifically tailored to enhance the skills, leadership, and training of the treatment court team with over 250 sessions, opportunities to connect and learn from colleagues around the world. RISE27 offers courses for the new practitioner and team members who have been in the field for years. The sessions will be a blend of providing what to watch for now and in the future and practical ways to address these concerns at a reasonable cost. Further, it will help us focus our attention on the highest risk areas, given how stretched our resources are. Plenary presentations and breakout sessions will include topics for all types of treatment courts. If funded, this grant will permit approximately eight judges (estimated cost of attendance per staff member is \$3,800) to attend and bring the information back to share with their team and colleagues. RISE27 offers a world-class education that is unparalleled in our field.

B. Please provide details on the judicial and/or administrative resources required for this project during the grant period, including whether you intend to use the grant funding to hire new employees. If hiring a new employee with grant funding, explain their intended duties, anticipated effort (hours per week), proposed hourly rate, and whether the position will be temporary or permanent.

Funds provided by this grant are for one-time application and do not constitute an ongoing project for which incremental resources are required. The grant will directly support the costs associated with travel and training expenses for the Utah Treatment Court Conference and RISE27 National Conference. No employees will be hired with this grant funding, nor will funds supplant any portion of salaries or benefits for existing employees.

C. What future funding or policy obligations does this project create once the grant funding has been fully expended, and what funding sources will be considered?

This grant supports participation at the Statewide Treatment Court Conference and RISE27 National Conference. No additional state funding is required to support ongoing programs nor infrastructure. Due to increasing per diem rates and facility costs, the STCSC recommended we contact CCJJ and request a grant award increase for FY27 by \$25,000. CCJJ has encouraged us to request the additional funds, bringing this year's revised amount to \$50,000. The additional funding will be used to fund additional speakers for the Statewide Treatment Court Conference as well as travel expenses for court staff to attend the RISE27 National Conference. If CCJJ does not issue an increase in the grant award, alternative funding sources include funding from the District Court and Juvenile Court budgets.

D. What are the consequences if this project is not funded?

If the project is not funded, the full 8 treatment court judges and staff who have historically attended will be unable to receive the most current training on the updated national treatment court standards or attend the National Treatment Court Conference. The Utah Treatment Court Conference provides a valuable opportunity for all treatment court professionals across the state to convene and collaborate within their multidisciplinary teams. Without access to up-to-date training, teams may struggle to meet certification requirements, and the overall quality of services provided to treatment court participants could be negatively impacted.

IV. Anticipated Budget

Complete the budget table with estimated expenditures for up to three state fiscal years.

- ☐ This grant requires cash-matching (complete the **orange** and **blue** cells below and describe)
Describe matching requirement:
- ☐ This grant requires in-kind matching (complete the **orange** and **blue** cells below and describe)
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² Utah Code Section 63N-3-102, "restricted account" is a specific account within the General Fund designated for particular purposes, such as the Industrial Assistance Account.

V. RESOURCE IMPACT ASSESSMENT

The resource impact assessment is completed by the grant coordinator using information provided by the grant applicant and other project stakeholders.

Section 1. Authorization Process (Executive & Legislative Branches)

When federal or non-federal grants received by the Judicial Branch change after the Federal Funds Request Summary (FFRS) has been approved by the legislature during the regular session in March, the changes may require approval depending on certain criteria. Some changes may have a higher impact on the state's budget than others. This is referred to as the "Impact Level." The impact level determines what level of approval is required before the Judicial Branch may spend any additional funds beyond what was authorized in the annual FFRS.

☐ *If awarded, this grant will be authorized through the FFRS in the regular legislative session; no additional reporting to the Executive Appropriations Committee (EAC) is required.*

☒ *If awarded, this grant will fall outside of the legislative session. Authorization to spend funds will be obtained through the interim process where the following impact levels determine the degree of authorization required before funds may be spent:*

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☐ **Tier 2 - Medium**

Non-Federal: Greater than \$50k but less than \$1M per year; or adds more than zero but less than 11 permanent full or part time employees; or requires state to expend up to \$1M per year in new state monies as match (submit GAP with Judicial Council approval to EAC for review and recommendations). **Federal:** Greater than \$1M but less than \$10M per year; adds more than zero but less than 11 permanent full or part time employees; or requires state to expend up to \$1M per year in new state monies as match (submit GAP approved by the Judicial Council to the federal funds request summary to EAC for review & recommendations).

☐ **Tier 3 - High**

Non-Federal: Greater than \$1M per year; or adds more than 11 permanent full or part time employees; or requires the state to expend greater than \$1M per year in new state monies as match (submit GAP with Judicial Council approval to the Legislature for review to approve or reject the grant). **Federal:** Greater than \$10M per year; or adds more than 11 permanent full or part time employees; or requires state to expend greater than \$1M per year in new state monies for match (submit GAP approved by the Judicial Council to the federal funds request summary to Legislature for approval or rejection in an annual general session or special session).

Section 2. Resource Impact Assessment

Assess the capacity of impacted court areas to successfully support the grant at current staffing levels.³

The treatment courts have sufficient capacity to support this grant at current staffing levels. If awarded, the intended use of funding will not require additional staff or administrative resources, as it funds travel and training expenses for existing personnel. These professional development activities do not impose additional resource demands.

Assess the anticipated incremental impacts to AOC resources once grant funds are expended.⁴

No incremental impacts to AOC resources are anticipated if the full \$50,000 grant is awarded by CCJJ, as all expenses related to travel and training will be fully covered by the award. If the supplemental \$25,000 is not approved, there may be either fewer attendees or limited funding sought from the District Court and Juvenile Court budgets to address the shortfall resulting from STCSC's current deficit.

This grant application proposal has been reviewed by:

- ☐ Court Executive and/or applicable Board of Judges,
- ☒ Grant Coordinator and Finance Director,
- ☐ The Utah Supreme Court (UCJA Rule 3-105);

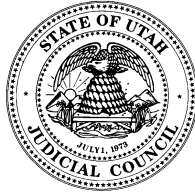
and approved by the Judicial Council on Date

State Court Administrator
Administrative Office of the Courts

³ UCJA Rule 3-411 (4)(a)(i)

⁴ UCJA Rule 3-411 (4)(a)(ii)

Tab 4



Administrative Office of the Courts

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

June 4, 2026

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

MEMORANDUM

TO: Judicial Council
FROM: Shonna Thomas, Court Program Administrator – GRAMP
RE: Basic Guidelines Guardianship Handbook for Minors

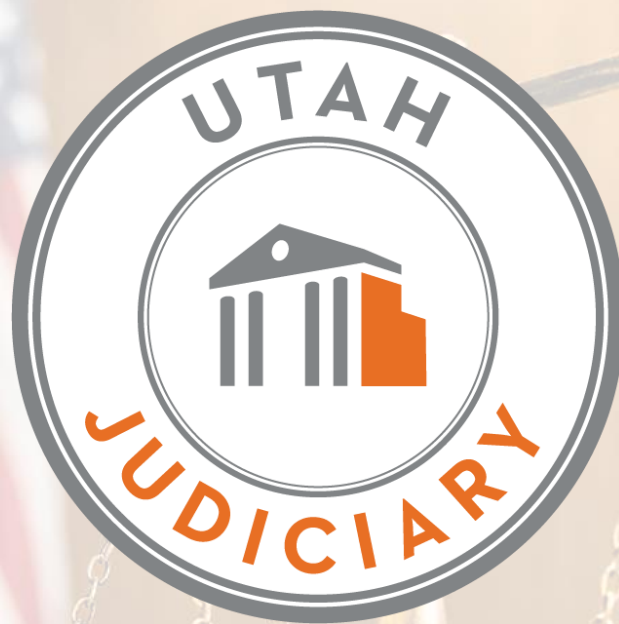
Per UCJA Rule 6-501(3)(A), before the court can appoint a guardian or conservator, the proposed guardian or conservator must complete a court-approved exam on guardian and conservator responsibilities and provide a statement to the court affirming this completion. The Committee on Law and Aging, Utah State Bar, and Administrative Office of the Courts created a guardianship and conservatorship manual to assist prospective guardians and conservators with this requirement.

In 2025, the WINGS Committee completed revisions to the manual to bring it in line with changes in statute and rules, and in December 2025, the Judicial Council approved the updated manual, "*Basic Guidelines: Serving as Guardian or Conservator of an Adult.*"

Although many factors are similar, guardianships and conservatorships of a minor fall under a separate section of Utah code, and entail some key differences in rights retained and responsibilities. However, no manual or other resources existed to assist prospective guardians and conservators with minor petitions. Using the approved handbook for adult appointments, WINGS carved out the portions relevant to minor appointments, and added and adjusted sections to account for those statutory differences.

The WINGS Committee presents this draft handbook, "*Basic Guidelines: Serving as Guardian or Conservator of a Minor*" to the Judicial Council and would appreciate any feedback or questions regarding the changes, or approval to begin providing the handbook to prospective guardians and conservators.

Basic Guidelines: Serving as Guardian or Conservator of a Minor



**Developed in partnership with the
Administrative Office of the Courts and
Utah WINGS**

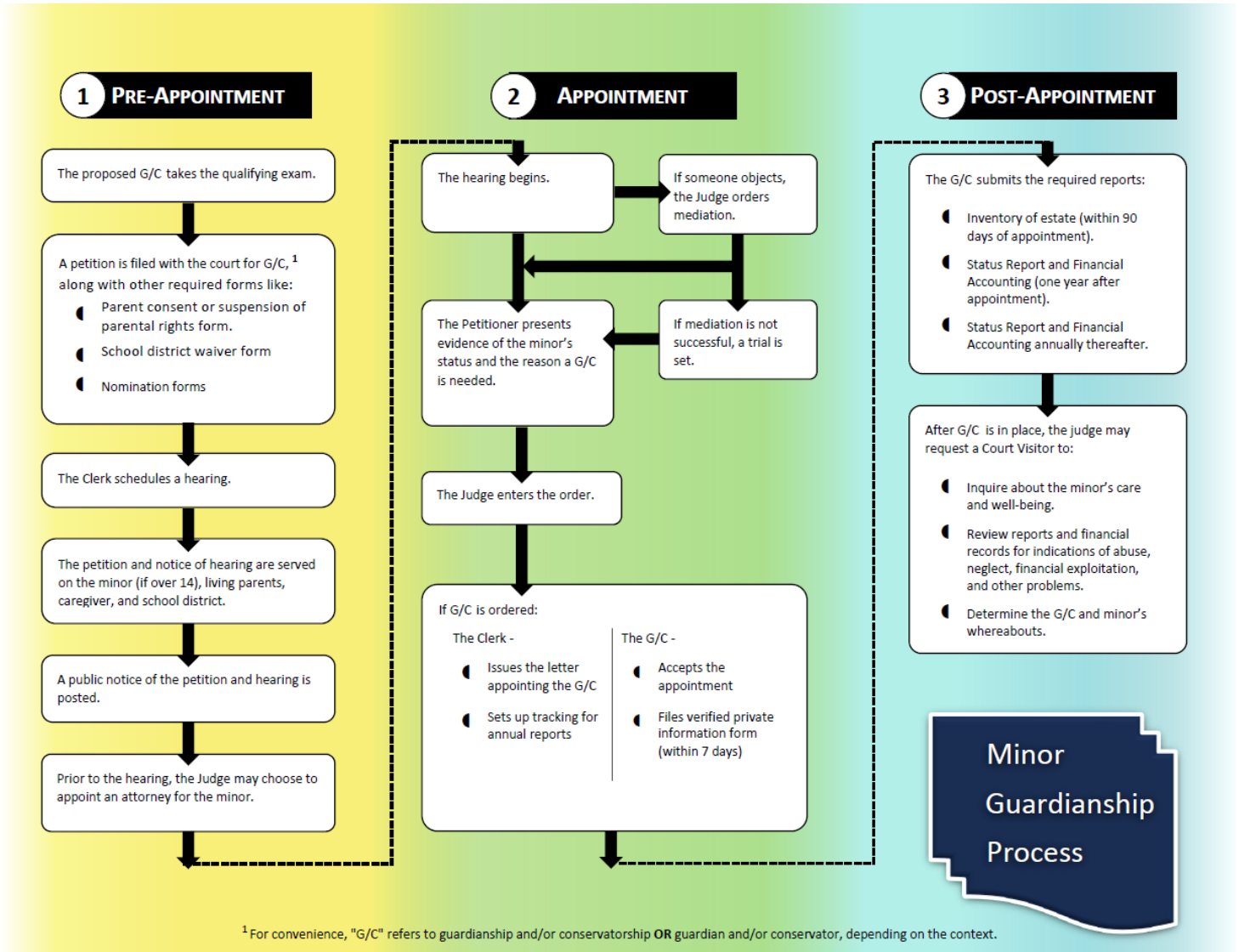
Created: April 2026



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A. Summary of the Minor Guardianship Process



B. Introduction

Sometimes a person under the age of 18, known as a minor, needs someone other than a parent to serve as a caregiver. This caregiver will need to have the authority to make decisions for and on behalf of the minor. There are a few ways the caregiver might get this authority. One way is to be appointed by the court as the minor's legal guardian or conservator.

When a court names a **guardian** or a **conservator** of a minor, it takes away the right of other adults in the minor's life (like the parents) to make choices for the minor. Because of this, the court is careful about granting a guardianship. The court also monitors the guardians and conservators it appoints.

A court might appoint a guardian, a conservator, or both. These two jobs might be done by two different people, or the court might choose the same person for both jobs. If the court does not choose a conservator, then the guardian must take on some of the conservator's duties.

This handbook helps you learn what your **responsibilities** (jobs) are if you are thinking about asking the court to make you a guardian or conservator, or if the court has already appointed you.

This handbook does not teach you the steps for becoming a guardian or conservator. However, you can find the current rules for how a good guardian or conservator should act (standards and ethics) on the National Guardianship Association website.¹

This handbook gives you general information. It is not meant to take the place of getting **legal advice**. If you have questions that are specific to your situation, you should talk to your lawyer.

What is a Guardian and a Conservator?

The court can appoint a guardian, a conservator, or both.

- **Guardian:** A guardian is a person chosen by the court to make decisions about the care of the minor. The minor is considered to be a protected person, and is sometimes called a "ward."

Guardianship gives an adult who is not the child's parent the authority to make decisions about the child instead of the child's parents. Some examples of situations when you might ask the court for guardianship of a child are if you are:

- A relative, like a grandparent, who is raising a child and needs to enroll the child in school, handle the child's medical care, or sign the child up for services.

¹ <https://www.guardianship.org/standards/>

- A parent that wants to send their child to live with someone else like a relative or a friend for a long period of time (for example, to go to school).

The guardian can be any responsible adult who is not the child's parent. The guardian does not need to be related to the child.

- **Conservator:** A conservator is a person chosen by the court to manage the money and finances of the minor, which can include assets the minor may be entitled to as a beneficiary of an estate, settlement, or trust.

A conservator is a person or group chosen by a court to make important decisions about a minor's money and belongings. The court may appoint a conservator if:

- the minor owns property that requires management or protection which cannot otherwise be provided;
- the minor's business affairs may be jeopardized; or
- a conservator is needed to obtain or provide funds for the minor's support and education.

Often a conservator is needed if the minor is about to receive an inheritance, government benefits, insurance or annuity benefits, or damages as a result of a civil lawsuit.

If you are a guardian or conservator, you are in a **position of trust**. This means you have important legal duties and responsibilities (jobs) to the protected person. This position of trust is sometimes called a "fiduciary."²

Alternatives to Guardianship or Conservatorship

Guardianship through the court is not the only option for being the caregiver for a minor. Other options include:

- **Power of Attorney** - A parent can give another adult temporary authority to make decisions for their child with a power of attorney.
- **Nomination** - A parent can nominate someone to be the guardian for their child in the future, if something happens and a guardian is needed.
- **School-Based Guardianship** - A local school board can choose an adult in the district to be a child's guardian. Utah Code section 53G-6-303. Contact your local school to ask about this option.
- **Adoption** - Adoption terminates the parents' rights permanently and gives the rights to the child's new adoptive parents.

² Utah Code Section 75-1-201(17)

How Long Will I Be a Guardian or Conservator?

If you are chosen as a permanent guardian (or conservator), you are expected to stay in that role until the court officially ends your appointment.

Sometimes, the court may appoint a temporary guardian for a minor. This is someone who has the same responsibilities as a permanent guardian, but only serves in that role for a limited amount of time, usually less than 6 months.

If you are a permanent guardian and you want to stop, you can resign, but you must have the court's permission.

- If the minor has not yet reached age 18 the court can choose a new helper, called a successor guardian, to take your place.
- If you were doing two jobs, guardian and conservator, you can quit one job and keep the other.

Sometimes, the reasons why a person needed a guardian change. Maybe the person has reached the age of 18 and is no longer considered a minor, or maybe the minor has been adopted.

No matter the reason, you must keep doing your duties until the court officially removes you as the guardian or conservator.

When your job as guardian or conservator ends, there are required steps you must take:

- You must make a final report about the money and property (this is called a Financial Accounting Report).
- You must hand over the property to your successor³ (the new helper) or the minor who is now an adult.
- You can talk to your lawyer or the Court's Self-Help Center⁴ to learn the proper way to end the job and turn over the estate.

C. Responsibilities and Restrictions

General Responsibilities as Guardian

A guardian is a person chosen to take care of a child and their belongings.

Understanding the rules for a Guardian is very important. Utah law tells you what your job as a guardian involves. The court order explains exactly what your powers are, and if there are any limits.

³ Utah Code Sections 75-5-306, 75-5-307, and 75-5-415

⁴ <https://www.utcourts.gov/en/self-help/services/contact.html>

As a guardian, you might need to:

- Be in charge of the minor.
- Decide where they live.
- Take care of their needs by providing comfort, basic maintenance, and care.
- Set up their school and social activities.
- Care for their things like clothes and personal belongings (personal effects).
- Say "yes" (consent) for them to get necessary medical care or professional treatment.
- Say "yes" to marriage or adoption, but only if the court gives you the power to allow it. For adoption, the rights of the minor's parents must already be taken away.

There are many things a guardian cannot do, unless the court specifically grants that power or you are also named the money helper (conservator).

As guardian, you may **NOT**:

- Agree to the minor's marriage, unless the court gives permission for you to consent to this.
- Agree to the adoption of a minor, unless the judge gives you special permission AND the parents have already lost their legal rights as parents.
- Hit or hurt the minor (physically punish them).
- Ignore the minor's needed healthcare.
- Leave the minor alone if they need care.

If a separate conservator has NOT been appointed, the guardian will need to manage the minor's money too:

- They can collect money that is meant to help the minor, but they must use this money to pay for the minor's everyday needs, like care and school.
- If there is any extra money left over, the guardian must save it carefully for the minor's future needs.
- The guardian cannot use the minor's money to pay themselves for their work unless a judge says it is okay.
- The guardian does not have to use their own money to take care of the minor.
- The guardian may be required to file an annual report with the court that covers both how the minor is doing and how the minor's money is being spent.

If the court chooses a separate conservator, that person has most of the job of handling the money and property. If there is a conservator, you must talk to them to be sure both of you understand your different jobs.

General Responsibilities as Conservator ⁵

If the court does not appoint a separate conservator, you may also have some or all the conservator's responsibilities too.

Being a conservator means you are in charge of taking care of someone else's money and property. The law has strict rules about how you must do this, and you have certain powers unless a judge says otherwise. You are expected to be very careful, smart, and responsible with the money, just like a trusted manager.

Taking care of a minor's money is a lot like taking care of an adult's money. You must make a budget and keep their belongings safe. The main things to keep in mind are:

- **Keep it Separate:** You must keep the minor's money and property separate from your own.
- **Use it Only for Them:** You must use their property only for their benefit.
- **Be Careful:** Manage their property the same way you would want someone else to manage your own money.

Most minors do not have a lot of wealth, but if they do, there may be extra rules you have to follow.

Some things you may have the power to do as conservator include:

- You can keep, buy, sell, fix up, or rent out houses, land, and other belongings.
- You can put money in a bank or invest it to help it grow.
- You can buy, sell, or manage stocks.
- You can pay the minor's bills, settle their debts, and pay their taxes.
- You can buy insurance to protect the property from damage or loss.
- You can go to court to defend the estate from lawsuits.
- You can hand out money directly to the minor, their guardian, or their caretaker so they can buy the things the minor's needs
- You can hire professionals like lawyers, money advisors, or accountants to help you, and you are allowed to trust and follow their advice.
- You can sign any official documents needed to get these jobs done.

⁵ Utah Code Sections 75-5-424, 75-5-425, 75-5-428, and 75-2-209

As a conservator, you are NOT allowed to do certain things:

- Do not mix your money with the minor's money (called comingling).
- Do not use the minor's money to pay your personal bills.
- Do not put the minor's estate funds into your personal bank account.
- Do not borrow money or property from the minor's estate.
- Do not sell the minor's estate property for less than its fair market value (what it is truly worth). For example, you cannot sell property cheaply to family members.
- Do not put your own name on the minor's property as if you own it. It is okay to put your name on an account as the *conservator* for the minor, but not as the owner.

Restricted bank accounts

A conservator must make safe and smart choices with the minor's money. If there is not a lot of money to risk, or if a judge orders it, the money should be put into a special bank account called a "restricted account."

A restricted account means that you must get permission from the court before you can take any money out. If all the child's money is kept in this kind of account, the conservator may not have to fill out yearly financial reports for the court.

If the court chooses a separate guardian, that guardian has the right to get money from you for the minor's daily costs. You can either pay the guardian an allowance, or you can choose to pay the bills directly to the people or businesses owed money.⁶ You should talk with the guardian to agree on the amount and timing of these payments.

Financial decisions

When the court chooses a guardian, the guardian usually manages both the minor's daily life *and* their money. When the guardian handles the money, they are also acting as the conservator.

If you are a guardian and do not want the job of handling the money, you can ask the court to pick a different person to be the conservator.

Your main job is to use the minor's money and property to pay for their support, care, and education. If the minor has extra money after all their needs are paid for, the conservator should save or invest that excess money.⁷

⁶ Utah Code Section 75-5-312 and 75-5-424

⁷ Utah Code Sections 75-5-312 and 75-5-424

Steps for Managing the Accounts:

- Open a special checking account just for the guardianship or conservatorship. This is where you put income and pay bills.
- Write down a complete description of every time money moves (each transaction).
- If too much money starts to build up in the checking account, move the extra money to a savings or investment account that earns interest.
- If you need to pay a special, large bill from the savings account, you must move that money into the checking account first before paying the bill.

If you have specific questions about money or property, you should ask your lawyer or a financial expert for help. You can also find a Budget Worksheet template on the court's website to help you prepare a budget for the minor.⁸

Rights and Responsibilities of Parents⁹

The appointment of a guardian or conservator does not fully end a parent's rights and responsibilities for their minor child. The legal parents are still required or allowed to do some things, even if the court has ordered someone else to be guardian or conservator:

- Parents remain responsible for child support.
- Parents retain the right to consent to adoption.
- Parents retain the right to determine the child's religion.
- Parents retain the right to reasonable parent-time unless restricted by the court.

D. Reporting to the Court

You must file reports every year about the minor's home life and their money. You must be able to show proof for every time money was spent or earned. This proof can come from good recordkeeping. Good recordkeeping includes:

- Keep receipts and vouchers, like a receipt when you buy something or a bill for a service received. Saving these helps you write your reports later. The court might ask to see them at any time.
- Use folders and files to keep documents neat. You should have separate files for things like legal papers, tax information, bills that are paid, bills that need to be paid, letters, and other papers about the person you are helping.

⁸ <https://www.utcourts.gov/en/self-help/case-categories/gc/budgeting.html>

⁹ Utah Code Sections 75-5-209 and 80-1-102(70)(a)

- Do not mix up the minor's papers with your personal papers. Keep them totally separate, and save copies of all papers that the court gives you or that you give to the court.
- If you are the guardian, you should keep a journal or diary. Use this diary all year long to write down important things the minor does or big events that happen, especially if nobody else wrote it down.
- If the minor lives somewhere else, write down the dates you go to visit them.

Good records are important because they protect you if someone ever asks questions about how you managed the estate. If you do not keep good records, you might have to pay money yourself.

If you cannot show the court how you spent the minor's money or used their property, the court can make you pay that money back to the minor's estate. This is true even if you know you used the money correctly to help them.

Report Types

Most guardians and conservators have to turn in reports every year. If the guardian or conservator is not the parent, they are required to file these reports.¹⁰

The table below shows a summary of the required reports and the person in charge of doing them:

Report	Filed By	Due Date / Timeframe
Inventory	Conservator*	Within 90 days after the appointment
Status of the Protected Person	Guardian	Within 60 days after the anniversary of the appointment
Financial Accounting	Conservator*	Within 60 days after the anniversary of the appointment
Final Financial Accounting	Conservator*	Upon resignation or removal of the conservator (or guardian), or upon termination of appointment.
* Filed by the guardian if no conservator has been appointed.		

¹⁰ Utah Code Sections 75-5-312, 75-5-417, and CJA Rule 6-501

What Happens If Rules Are Broken?

A judge can make a guardian or conservator pay a fine of **\$5,000** if they do certain things wrong:

- If they purposefully do not file a report.
- If they make a very big mistake in the report they turn in.
- If they act wrongly while handling the minor's money or belongings.

CJA Rule 6-501 explains what needs to be included in each required report, who must get a copy of the report, how someone can disagree with (object to) a filed report, and when reporting is not required.¹¹

Inventory Report

You need to create this special report one time. This report is called an Inventory.¹² You must file this report within 90 days after the court chooses you to be the conservator (or the guardian, if there is no conservator).

To complete the Inventory, you need to find and make a list of everything the minor owns. Once you have the whole list, you must prepare the Inventory Report. Then, you need to file it with the court. If you find more property later on that wasn't in your first list, you must create and file an updated (amended) Inventory report.

When is the Inventory Report Due?

After you are appointed by the court, you have 90 days to finish and file the Inventory Report. Because of this, the due dates are different for everyone.

Example:

If you became the guardian or conservator on June 1st, your Inventory Report would be due no later than August 29th.

Report on the Status of the Protected Person ("Status Report")

If you are a guardian, you must write a report for the court every year about the person you are protecting, the minor in this case. This yearly report is called the Status Report.¹³

The Status Report tells the court about the minor's care and how they are living. It also shows what the minor is doing. It helps the court know about changes or possible problems. These reports are private, meaning only the people involved in the case can see them.

¹¹ <https://legacy.utcourts.gov/rules/view.php?type=ucja&rule=6-501>

¹² Utah Code Section 75-5-418

¹³ Utah Code Section 75-5-209

What is covered in the Status Report?

The Status Report must cover a full 365 days. This 365-day period starts on the exact day you were named the guardian. Because of this, the due dates are different for everyone.

Example:

If you became the guardian on June 1, 2024, your report must include every day from June 1, 2024, until May 31, 2025.

The next year, the report would cover June 1, 2025, to May 31, 2026, and so on.

When is the Status Report Due?

The court gives guardians 60 extra days to complete the Status Report after the 365 days are finished.

Example:

Using the example above (the report covers until May 31, 2025), the final deadline to give the report to the court would be July 30, 2025.

Important: You are not allowed to turn in the Status Report early, before the full 365 days have passed.

These due dates are very important and will usually stay the same throughout the entire time you are the guardian, unless you ask the court to change them. If you are not sure when your report is due, you can ask the clerk at the courthouse for the correct dates.

Financial Accounting Report (“Accounting Report”)

If you are a conservator, or the guardian if there is no conservator, you have to report to the court every year on the minor’s income and assets. This report is called the Accounting Report.¹⁴

The starting point for the Accounting Report is based on information you provided in the Inventory Report. The reports track the minor’s personal money, investments, and other things they own over time.

It is important to make sure all the money is tracked correctly. The amount of money left over at the end of last year must be the exact amount you start with this year.

To prove that you have handled the money correctly, you must send the Accounting Report along with bank statements, receipts, and other papers about the minor’s money.

¹⁴ Utah Code Sections 75-5-209 and 75-5-417

What is covered in the Accounting Report?

The report must cover a full 365 days. This year starts on the day the court named you as the guardian or conservator. Because of this, the due date for the report is different for everyone.

Example:

If you became the guardian or conservator on June 1, 2024, your report must include every day from June 1, 2024, until May 31, 2025.

The next year, the report would cover June 1, 2025, to May 31, 2026, and so on.

When is the Accounting Report Due?

The court gives guardians 60 extra days to complete the Accounting Report after the 365 days are finished.

Example:

Using the example above (the report covers until May 31, 2025), the final deadline to give the report to the court would be July 30, 2025.

Important: You are not allowed to turn in the Accounting Report early, before the full 365 days have passed.

These dates are very important and will usually stay the same for as long as you are in charge. If you are unsure about your deadlines, you can ask the clerk at the courthouse for the right dates.

Accounting Report When There is a Separate Conservator

If you are only the guardian AND the court named a separate conservator, you do not give an accounting report to the court. Instead, you must report to the conservator how you managed the minor's money.

You should talk with the conservator to agree on a time that works well for both of you to share your report.

Final Financial Accounting Report

The conservator - or the guardian if there is no conservator - must file a final accounting if any of these things happen:

- The guardian or conservator quits or is removed by the court.
- The minor dies, is adopted, or turns 18.
- The guardianship or conservatorship ends by order of the court.
- The court transfers the case to another state.

This final report needs to cover all the money transactions from the date the last report covered until the day the guardianship or conservatorship officially ends.¹⁵

The final accounting is done using the same form as the regular annual accounting. There is a place on the form to mark it as the final accounting.

When is the Final Accounting Report Due?

After you are approved by the court to no longer serve as conservator (or guardian, if there is no conservator), you have 60 days to finish and file the Final Accounting Report. Because of this, the due dates are different for everyone.

Example:

If you stop serving as the guardian or conservator on June 1st, your Final Financial Accounting Report will be due no later than July 30th.

Annual Report Due Dates

Annual reports must cover an entire full year (365 days).

This year begins counting from the exact day you were made guardian or conservator by the judge (this is called your date of appointment).

You must turn in these reports within 60 days of that starting day, every year.

For example:

- You are appointed as guardian or conservator on May 1, 2021.
 - You must file the one-time Inventory by July 30, 2021.
 - The Status and Accounting Reports are due by June 30, 2022.
 - Every year after, the Status and Accounting Reports are due by June 30.
 - The Status and Accounting Reports are late if they are turned in on July 1st or later.
 - This is repeated every year until the guardianship or conservatorship is terminated.

You can ask the court to change when you need to turn in your reports. For example, you might ask to switch to a calendar year (January 1st to December 31st) or any other 12-month period that is easier for you.¹⁶

If the court agrees to change the dates, your first report after the switch will be for a shorter amount of time.

¹⁵ Utah Code Section 75-5-419 and CJA Rule 6-501

¹⁶ CJA Rule 6-501

Here is an example to show how this works:

- You are appointed on August 17th.
- You then ask the court if you can report using a calendar year.
- If the court says yes, your very first report will only cover the time from August 17th until the end of that current year.
- After that first, short report, all of your reports later on will cover the full calendar year, running from January 1st to December 31st.

Filing Required Reports

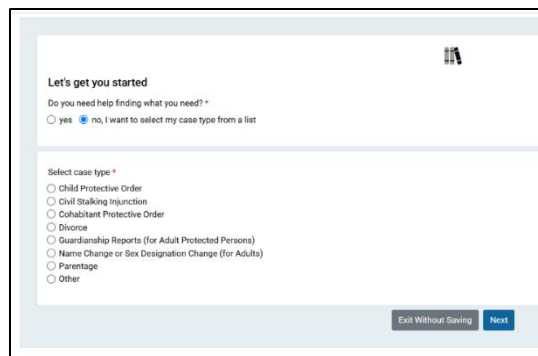
You can fill out your report in two different ways: by hand or online.

1. Doing the Report by Hand:

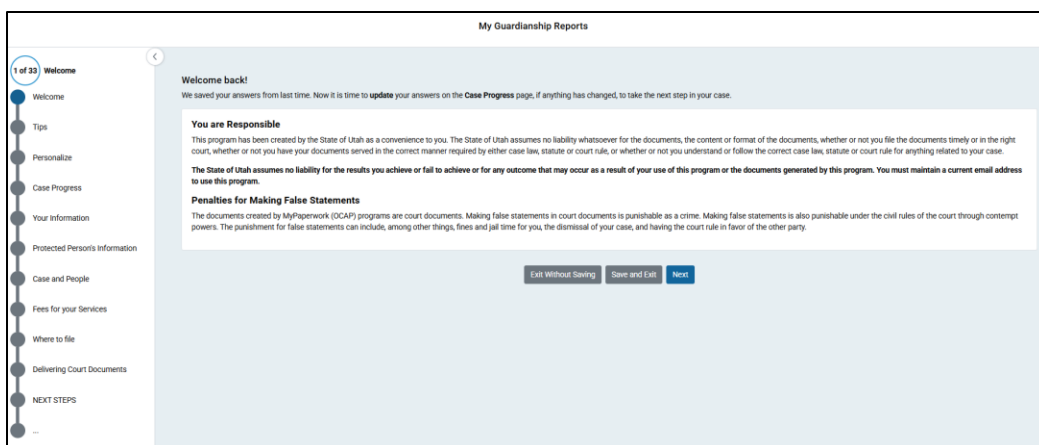
- You need to find the right report form on the court's website.¹⁷
- You must print those papers.
- Then, you complete the information needed.
- Finally, you turn the forms in (file them) at the court.

2. Doing the Report Online:

- Go to the MyPaperwork website.¹⁸
- If you don't have an account already, you need to sign up to create one.
- Choose the option called “Guardianship Reports.” (see figure 1)
- Follow all the directions on the screen. (see figure 2)
- Once you have finished every item on the list, you must print the document.
- Then, you turn it in (file it) at the court.



*Figures 1 & 2:
Examples from MyPaperwork website.*



¹⁷ <https://www.utcourts.gov/en/self-help/case-categories/gc/reports.html>

¹⁸ <https://apps.utcourts.gov/InterviewWEB/#/qi/ua/GI0385>

Where to File Your Report?

You must file your papers with the court that first chose you to be the guardian (made the appointment).

If the minor moves to a different county, you are allowed to ask the court to move your reports to that new county.¹⁹

Who Gets Copies of Your Report?

When you turn in your documents, you also need to send a copy to certain people, along with a notice that tells them they have the right to complain or disagree (object). This is called "serving" the documents.

You must serve copies on these people:

- The minor (if they are old enough to understand the proceedings).²⁰
- The minor's guardian or conservator (if the judge picked different people for those jobs).
- The minor's parents.
- Anyone else who is officially asked to be notified.²¹

You can send these documents using mail, email, or by delivering them by hand.

What Happens After You File?

After you have filed your reports and any other papers that support them (supporting documentation), they will be sent to the judge to look over (review). The judge has several choices for what to do next:

- The judge may approve the report.
- The judge might ask you for more information.
- The judge might set a hearing (a meeting).
- The judge might order a Court Visitor.²²

If anyone complains about your report (objects to the filing) or if the judge has more questions, the court clerk will set up a hearing. You and the other people involved will be told when and where this hearing will happen.

¹⁹ Utah Code Sections 75-5-205 and 75-5-403

²⁰ Utah Code Section 75-5-405

²¹ Utah Code Section 75-5-406

²² <https://www.utcourts.gov/en/about/courts/dist/gramp/cvp.html>

E. Criminal penalties

People who are trusted to take care of someone else's money or well-being are sometimes called fiduciaries.

If you are a fiduciary, you must be very careful, especially about breaking the law. If you do certain wrong things, you can be found criminally liable. This means you could get into trouble with the police and courts.

In Utah, you can get in trouble if you do these kinds of bad things to the person you are supposed to protect:

- Stealing money or using it unfairly (this is called financially exploiting them).
- Not taking care of them (this is called neglecting them).
- Hurting their body or their feelings (this is called physical or emotional abuse).

There are many laws that talk about how a trusted person should act. Because these penalties are so serious, talk to your lawyer if you have specific questions.

F. Other Considerations

Compensation

Sometimes, a family member is a guardian or conservator and chooses not to be paid for their work. However, if the court agrees, a guardian or conservator is allowed to receive a fair payment from the money belonging to the minor.

To figure out if the pay is fair (reasonable²³), the court looks at a few things:

1. The type of help you gave.
2. How good you are at the job (your skill).
3. If the time and money you spent were necessary or justified.

You must always keep accurate records of everything you do.

Liability

You are not legally responsible for things the minor may do.²⁴

You do not have to pay for things the minor does (like if a minor committed a crime while under guardianship). You are also not responsible if you take actions that are reasonable and help the minor.

²³ Utah Code Section 75-5-414

²⁴ Utah Code Section 75-5-209

When you manage the minor's money and belongings, you will not be blamed if you act like a careful person handling someone else's property.

However, you must pay if you personally make a mistake or are careless and it harms the minor.²⁵

To stop problems from happening, you should understand your job, use common sense, and make good decisions.

The court may ask for an insurance policy called a bond to keep the minor's money safe.²⁶ The court can decide not to require this bond if there is a good reason. The minor's estate pays for this insurance. The bond protects the person if your mistake causes the estate to lose money.

To figure out how much the bond should cost, you must add up the total value of the minor's stuff that you manage and then add one year's estimated income.

Conflict of Interest

Guardians and conservators have important rules they must follow when they manage the money and things of a person who is protected. You must always try to avoid situations where there could be a conflict of interest or self-dealing.

Conflict of Interest happens when the guardian has a personal reason (an interest) in the minor's money that might seem helpful to the guardian or harmful to the minor.

Self-Dealing is when the guardian tries to use their job as guardian to help themselves instead of helping the person they are protecting.

Self-dealing can sometimes happen in ways that seem innocent. For example, using any of the minor's property just for you, or paying for a family vacation with only the minor's money.

You must not loan or give away the minor's money or things unless you get special permission first. You must only use the minor's money for their benefit.

Representative Payee

If the minor gets payments or income from an agency, like the Social Security Administration, the agency will choose someone to manage those payments, called a representative payee.

The job of the representative payee is separate from the job of a court-appointed guardian or conservator.

²⁵ Utah Code Section 75-5-429

²⁶ Utah Code Sections 75-5-411 and 75-5-412

If you want to be the representative payee, you must ask the agency that sends the money. In most cases, the agency will choose the person who is already the court-appointed guardian or conservator. However, the agency that gives the benefits can choose another person to be the representative payee.

Once chosen by the agency, the representative payee has the power to receive and handle the benefit payments for the minor.

If the minor's estate is limited to payments from a state or federal agency that requires an annual accounting, like the Social Security Administration, you may file with the court a copy of the agency's form rather than the court form.

G. Resources

PROTECTIVE SERVICES	Child and Family Services: <u>Call:</u> 1-855-323-3237 <u>Website:</u> https://dcfs.utah.gov/
COMMUNITY SERVICES	Children's Service Society of Utah - GRANDfamilies: <u>Call:</u> 801-326-4409 <u>Website:</u> https://cssutah.org/
LEGAL RESOURCES	Utah Legal Services: <u>Call:</u> 801-328-8891 <u>Website:</u> http://www.utahlegalservices.org/
COURT RESOURCES	Self Help Center: <u>Call:</u> 888-683-0009 <u>Text:</u> 801-742-1898 <u>Website:</u> https://www.utcourts.gov/selfhelp/contact/ <u>Email:</u> selfhelp@utcourts.gov
INFORMATIONAL RESOURCES	National Guardianship Association <u>Website:</u> https://www.guardianship.org/find-a-guardian/
** In case of an emergency, call local law enforcement or 911.	

Appendix A – Changes in the Guardianship

For more information on the options below, visit the court’s webpage titled, “**Changing or Ending a Guardianship or Conservatorship.**” ²⁷

IF...	Provide the following to the Court
If the Minor is deceased	- Any proof of death (i.e., death certificate, obituary) - Motion to terminate a guardianship or conservatorship of a minor - A final accounting, along with the Certificate of Service, Right to Object, and Order on Review forms
If the Guardian or Conservator is deceased	- Provide proof of death of the guardian or conservator - Contact information for the minor or for the person temporarily responsible for the minor’s care
If the Minor has turned 18 years old	- Motion to terminate a guardianship or conservatorship of a minor - A final accounting, along with the Certificate of Service, Right to Object, and Order on Review forms
If the Minor has been adopted	- Proof of adoption - Motion to terminate a guardianship or conservatorship of a minor - A final accounting, along with the Certificate of Service, Right to Object, and Order on Review forms
If the Guardian or Conservator no longer has contact with the Minor	- Motion to terminate a guardianship or conservatorship of a minor - A final accounting, along with the Certificate of Service, Right to Object, and Order on Review forms

²⁷ <https://www.utcourts.gov/en/self-help/case-categories/gc/change-or-end.html#accordion-e8ad48a79b-item-667c58f564>

Appendix B – Utah Code 75-5-209

Powers and duties of guardian of minor -- Residual parental rights and duties -- Adoption of a ward.

- (1) For purposes of this section, "residual parental rights and duties" is as defined in Section [80-1-102](#).
- (2) Except as provided in Subsection [\(4\)\(a\)](#), a guardian of a minor has the powers and responsibilities of a parent who has not been deprived of custody of the parent's unemancipated minor, including the powers and responsibilities described in Subsection [\(3\)](#).
- (3) A guardian of a minor:
 - (a) must take reasonable care of the personal effects of the guardian's ward;
 - (b) must commence protective proceedings if necessary to protect other property of the guardian's ward;
 - (c) subject to Subsection [\(4\)\(b\)](#), may receive money payable for the support of the ward to the ward's parent, guardian, or custodian under the terms of a:
 - (i) statutory benefit or insurance system;
 - (ii) private contract;
 - (iii) devise;
 - (iv) trust;
 - (v) conservatorship; or
 - (vi) custodianship;
 - (d) subject to Subsection [\(4\)\(b\)](#), may receive money or property of the ward paid or delivered by virtue of Section [75-5-102](#);
 - (e) except as provided in Subsection [\(4\)\(c\)](#), must exercise due care to conserve any excess money or property described in Subsection [\(3\)\(d\)](#) for the ward's future needs;
 - (f) unless otherwise provided by statute, may institute proceedings to compel the performance by any person of a duty to:
 - (i) support the ward; or
 - (ii) pay sums for the welfare of the ward;
 - (g) is empowered to:
 - (i) facilitate the ward's education, social, or other activities; and
 - (ii) subject to Subsection [\(4\)\(d\)](#), authorize medical or other professional care, treatment, or advice;
 - (h) may consent to the:
 - (i) marriage of the guardian's ward, if specifically authorized by a court to give this consent; or

- (ii) adoption of the guardian's ward if the:
 - (A) guardian of the ward is specifically authorized by a court to give this consent; and
 - (B) parental rights of the ward's parents have been terminated; and
 - (i) must report the condition of the minor and of the minor's estate that has been subject to the guardian's possession or control:
 - (i) as ordered by court on petition of any person interested in the minor's welfare; or
 - (ii) as required by court rule.
- (4) (a) Notwithstanding Subsection [\(2\)](#), a guardian of a minor is not:
 - (i) legally obligated to provide from the guardian's own funds for the ward; and
 - (ii) liable to third persons by reason of the guardian's relationship for acts of the ward.
- (b) Sums received under Subsection [\(3\)\(c\)](#) or [\(d\)](#):
 - (i) may not be used for compensation for the services of a guardian, except as:
 - (A) approved by court order; or
 - (B) determined by a duly appointed conservator other than the guardian; and
 - (ii) shall be applied to the ward's current needs for support, care, and education.
- (c) Notwithstanding Subsection [\(3\)\(e\)](#), if a conservator is appointed for the estate of the ward, the excess shall be paid over at least annually to the conservator.
- (d) A guardian of a minor is not, by reason of giving the authorization described in Subsection [\(3\)\(g\)\(ii\)](#), liable for injury to the minor resulting from the negligence or acts of third persons, unless it would have been illegal for a parent to have given the authorization.
- (5) A parent of a minor for whom a guardian is appointed retains residual parental rights and duties.
- (6) If a parent of a minor for whom a guardian is appointed consents to the adoption of the minor, the guardian is entitled to:
 - (a) receive notice of the adoption proceeding pursuant to Section [81-13-207](#);
 - (b) intervene in the adoption; and
 - (c) present evidence to the court relevant to the best interest of the minor as described in Subsection [81-13-207\(11\)](#).
- (7) If a minor for whom a guardian is appointed is adopted subsequent to the appointment, the guardianship shall terminate when the adoption is finalized.

Appendix C – CJA Rule 6-501

Reporting requirements for guardians and conservators

Intent:

To set forth the testing requirements for guardians and conservators and to establish standards and procedures for inventories, reports, and accountings that guardians and conservators are required to file under the Utah Uniform Probate Code.

Applicability:

This rule applies to individuals seeking appointment as guardians and conservators and individuals who are appointed by the court as guardians and conservators.

Statement of the Rule:

(1) Definitions.

(1)(A) “Accounting” means the annual accounting required by Utah Code section 75-5-312 and section 75-5-417 and the final accounting required by Utah Code section 75-5-419.

(1)(B) “Interested person” means the respondent, if he or she is not a minor, the respondent’s guardian and conservator, the respondent’s spouse, adult children, parents and siblings, and any other person interested in the welfare, estate, or affairs of the respondent who requests notice under Utah Code section 75-5-406. If no person is an interested person as previously defined, then interested person includes at least one of the respondent’s closest adult relatives, if any can be found. For purposes of minor guardianship, interested persons include the persons listed in Utah Code section 75-5-207.

(1)(C) “Inventory” means the inventory required by Utah Code section 75-5-418.

(1)(D) “Serve” means any manner of service permitted by the Utah Rules of Civil Procedure.

(1)(E) “Protected person” means a minor or an incapacitated person for whom the court appoints a guardian or an individual for whom the court appoints a conservator.

(1)(F) “Report” means the inventory, accounting, or annual report on the status of the protected person under Utah Code sections 75-5-209 and 75-5-312, and the final accounting under sections 75-5-210 and 75-5-419

(1)(G) “Respondent” means a person who is alleged to be incapacitated and for whom the appointment of a guardian or conservator is sought.

(2) Exceptions.

(2)(A) Paragraph (3) does not apply to the following:

(2)(A)(i) a guardian certified under Utah Code section 75-5-311;

(2)(A)(ii) the Office of Public Guardian; or

(2)(A)(iii) a conservator issued a permit under Utah Code section 7-5-2.

(2)(B) Paragraphs (6), (7), (8), (9), and (10) do not apply if the guardian or conservator is a parent of the protected person.

(2)(C) Paragraphs (6)(C) and (8)(C) do not apply to the guardian of a minor if the minor's estate consists of funds that are deposited in a restricted account, which requires judicial approval for withdrawal, or if there is no estate.

(2)(D) Paragraph (9) does not apply to a conservator who is appointed for the purpose of receiving a personal injury settlement for a minor if 1) no funds are to be distributed until the minor reaches the age of majority, or 2) no structured settlement payments are to be made until the minor reaches the age of majority.

(3) Examination and private information record.

(3)(A) Before the court enters an order appointing a guardian or conservator, the proposed guardian or conservator must file:

(3)(A)(i) a verified statement showing satisfactory completion of a court-approved examination on the responsibilities of a guardian or conservator; and

(3)(A)(ii) a completed and verified Private Information Record form provided by the Administrative Office.

(3)(B) The guardian or conservator must continue to keep the court apprised of any changes to the guardian or conservator's contact information.

(4) Recordkeeping.

The guardian must keep contemporaneous records of significant events in the life of the protected person and produce them if requested by the court. The conservator must keep contemporaneous receipts, vouchers or other evidence of income and expenses and produce them if requested by the court. The guardian and conservator must maintain the records until the appointment is terminated and then deliver them to the successor guardian or conservator, to the protected person if there is no successor guardian or conservator, or to the personal representative of the protected person's estate.

(5) Filing and service of required reports and proposed Order on Review

(5)(A) The guardian or conservator will file with the court the reports required by paragraphs 6, 7, 8, 9, and/or 10 using the appropriate Council-approved form or a form that substantially conforms to the format and content of the Council form.

(5)(A)(i) A corporate fiduciary will attach its internal report or accounting, if any, as an exhibit to the Council form.

(5)(A)(ii) If the protected person's estate is limited to a federal or state program requiring an annual accounting, the guardian may file a copy of that accounting instead of the Council form.

(5)(B) The annual status report and annual accounting must contain sufficient information to put interested persons on notice of all significant events and transactions during the reporting period.

(5)(C) Along with the required report, the guardian or conservator will also file the Council-approved Order on Review of Guardian or Conservator Report ("Order on Review") as a proposed document.

(5)(D) The guardian or conservator must serve a copy of the required report on all interested persons in accordance with the Utah Rules of Civil Procedure. The required report must include the following language at the top right corner of the first page, in bold type: You have the right to object to this report within 28 days of service. If you do not object within that time, your objection may be waived.

(6) Inventory.

(6)(A) Within 90 days after the appointment, the conservator must file with the appointing court the inventory required by Utah Code section 75-5-418 in accordance with paragraph 5. The inventory must be in substantially the same form as the inventory form approved by the Council, including the required attachments. The court may extend the time for filing the inventory for good cause.

(6)(B) The judge may conduct a hearing even though no objection is filed. If the judge finds that the inventory is in order, the judge must approve it by signing the Order on Review.

(6)(C) If there is no conservator, the guardian must file the inventory required of a conservator under Utah Code section 75-5-312.

(7) Annual status reports.

(7)(A) The guardian must file with the appointing court a report on the status of the protected person no later than 60 days after the anniversary of the appointment in accordance with paragraph 5.

(7)(A)(i) The status report must be in substantially the same form as the status report form approved by the Council, including the required attachments.

(7)(A)(ii) The guardian must file the report with the court that appointed the guardian unless that court orders a change in venue under Utah Code section 75-5-313.

(7)(A)(iii) The reporting period is yearly from the appointment date unless the court changes the reporting period on motion of the guardian. The guardian may not file the report before the close of the reporting period. For good cause the court may extend the time for filing the report, but a late filing does not change the reporting period.

(7)(B) The judge may conduct a hearing even though no objection is filed. If the judge finds that the report is in order, the judge must approve it by signing the Order on Review

(8) Annual accounting.

(8)(A) The conservator must file with the appointing court an accounting of the estate of the protected person no later than 60 days after the anniversary of the appointment in accordance with paragraph 5.

(8)(A)(i) The accounting must be in substantially the same form as the accounting form approved by the Council, including the required attachments.

(8)(A)(ii) The conservator must file the accounting with the court that appointed the conservator unless that court orders a change in venue under Utah Code section 75-5-403.

(8)(A)(iii) The reporting period is yearly from the appointment date unless the court changes the reporting period on motion of the conservator. The conservator may not file the accounting before the close of the reporting period. For good cause the court may extend the time for filing the accounting, but a late filing does not change the reporting period.

(8)(B) The judge may conduct a hearing even though no objection is filed. If the judge finds that the accounting is in order, the judge must approve it by signing the Order on Review.

(8)(C) If there is no conservator, the guardian must file the accounting required of a conservator under Utah Code section 75-5-312.

(9) Final accounting.

(9)(A) The conservator must file with the court a final accounting of the estate of the protected person with the motion to terminate the appointment in accordance with paragraph 5.

(9)(B) The court may conduct a hearing even though no objection is filed. If the court finds that the accounting is in order, the court must approve it by signing the Order on Review.

(10) Objections.

(10)(A) If an interested person objects to a report, the person must file a written objection with the court and serve a copy on all interested persons within 28 days from the date of service of the report. A request to submit must be included with the objection. The court may for good cause, including in order to accommodate a person with a disability, waive the requirement of a writing and document the objection and request to submit in the court record.

(10)(B) The objection must specify in writing the entries to which the person objects and state the reasons for the objection.

(10)(C) An objection to a report may not contain a request to remove or substitute the guardian or conservator. Any request for removal or substitution of the guardian or conservator must be filed as a separate petition consistent with Utah Code section 75-5-307 or 75-5-415.

(10)(D) If an objection is filed, the court must conduct a hearing unless the court determines that a hearing is not necessary. If the court determines that a hearing is not necessary, the court must issue a minute entry or order stating why a hearing is not necessary.

(10)(E) At the hearing, the court may require the guardian or conservator to supplement or amend the report if the court determines there is good cause for the objection.

(10)(F) If the court determines that the objection is unfounded or is filed in bad faith, the court may deny the objection and approve the report.

(11) Waiver. If an interested person does not object to a report within 28 days of service, the interested person waives any objection unless:

(11)(A) the objection relates to matters not fairly disclosed by the report; or

(11)(B) the time for objection is extended by the court under the Utah Rules of Civil Procedure. If the request for an extension is made before the time has run, the court may extend the time for good cause. If the request is made after the time has run, the court may extend for excusable neglect.

(12) Report approval.

(12)(A) Approval. The court must examine and approve the report as required by Utah Code sections 75-5-312 and 75-5-417. Approving a report means the judge has reviewed it, to the court's knowledge notice has been given to every person

entitled to notice, no objection has been received, the report meets the requirements set forth by the report form, and the court has not requested additional information or scheduled a hearing. Such approval does not foreclose a valid claim permitted under paragraphs (11)(A) or (11)(B), nor does it start an appeal time.

(12)(B) Notice to interested persons. When a court approves a report, the court must sign and enter the Order on Review. When a court does not approve a report, the court must indicate on the Order on Review, or in another minute entry or order, the reasons for non-approval, any additional actions required, and serve it on all interested persons entitled to notice.

(13) Report on a minor.

Under Utah Code section 75-5-209, a person interested in the welfare of a minor may petition the court for a report from the guardian on the minor's welfare or the minor's estate. If the court orders a status report from the guardian, the status report must be in substantially the same form as the status report form for guardianships of adults approved by the Council, including the required attachments.

Glossary of Terms

Acceptance of appointment	A written document signed by the guardian/conservator confirming acceptance of the order to serve as guardian/conservator of the minor. This document must be filed with the court.
Affidavit	A written and sworn statement witnessed by a notary public or other official with the authority to administer oaths. Affidavits may be admitted into evidence.
Agent	An adult appointed by another adult (“the principal”) in a power of attorney, executed according to law. The agent’s legal authority is limited to the authority granted by the principal.
Annual accounting	The yearly financial report of the minor’s estate that the guardian—or conservator if one has been appointed—must file with the court.
Annual report	Report required to be completed and filed with the court every year, within 60 days from the anniversary of the date the guardian or conservator was appointed. Annual reports include the Status Report and the Financial Accounting report.
Appointment	The designation of a person by the court to be a guardian or conservator and to discharge the duties of that office.
Bond	Insurance that the court may require that covers the minor’s estate. Paid for by the minor’s estate.
Certified copy	A certified copy of a court order is dated, signed, and stamped by the Clerk of Court certifying that the copy is a true copy of the original court order. A certified copy is a photocopy of the original, but it will have an original stamped or embossed seal of the court and clerk’s signature.
Chambers	A judge’s private office in the courthouse.
Closed hearing	A hearing that can be attended only by those with a direct interest in the proceeding. The public cannot attend. Any party in a guardianship / conservatorship proceeding may request closed hearings. Most hearings are open or public hearings and anyone may attend.
Code of Judicial Administration (CJA)	The rules established by the Utah Judicial Council governing administrative practices and procedures of the state judiciary.
Conservator	A person or institution appointed by the court to manage the property and financial affairs (“estate”) of a minor. A guardian is a person or institution appointed by a court to make decisions about the care of another person

	who is in need of continuing care and protection, such as a minor child or an incapacitated adult. Sometimes the same person is appointed to both roles. If no conservator is appointed, the guardian has some of the responsibility of a conservator.
Conservatorship	The court proceeding to appoint a conservator and any subsequent proceedings. A conservatorship exists when the court has appointed a conservator for a person in need of protection.
Court visitor	A person who is trained in law, nursing, or social work and is an officer, employee, or special appointee of the court with no personal interest in the proceedings. The judge may appoint a visitor to inquire about and observe a minor's circumstances to provide a more complete and nuanced picture of that person's life.
Emergency guardianship	An extraordinary court proceeding that may result in the appointment of an emergency guardian to provide for the immediate care and custody of a person for a specified period not longer than 30 days. If an emergency guardian is appointed, the court must hold a hearing within 14 days and begin the process to determine the respondent's incapacity.
Estate	All of the minor's assets and liabilities, including all real property (land) and personal property (things).
Evidence	Testimony, records, documents, material objects, or other things presented at a hearing to prove the existence or nonexistence of a fact.
Fiduciary	A person who has assumed a special relationship to another person or another person's property, such as a trustee, administrator, executor, lawyer, or guardian/conservator. The fiduciary must exercise the highest degree of care to maintain and preserve the person's rights and/or property which are within his/her charge.
Financial accounting report	The yearly financial report of the minor's estate that the guardian—or conservator if one has been appointed—must file with the court.
Final accounting report	The last financial accounting that must be filed with the court by the guardian or conservator upon the death of the minor, resignation of the guardian or conservator, or termination of the guardianship/conservatorship.
Guardian	A person or institution appointed by a court to make decisions about the care of another person who is in need of continuing care and protection, such as a minor child or an incapacitated adult. A conservator is person or institution appointed by the court to manage the property and financial affairs ("estate") of a minor. Sometimes the same person is appointed to both roles. If no conservator is appointed, the guardian has some of the responsibility of a conservator.

Guardian ad litem	A lawyer appointed by a court to look after the interests of a minor child during court proceedings, or to look after the interests of an adult in conservatorship proceedings.
Guardianship	The court proceedings to appoint a guardian and any subsequent proceedings. A guardianship exists when the court has appointed a guardian for an incapacitated person.
Hearing	A formal proceeding (generally less formal than a trial) with issues of law or of fact to be heard and decided.
Interested person	As defined in the Utah Uniform Probate Code, an "interested person" includes heirs, devisees, children, spouses, creditors, beneficiaries, and any others having a property right in or claim against a trust or the estate of a decedent, or minor. It also includes persons having priority for appointment as personal representative, other fiduciaries representing interested persons, a settlor of a trust, if living, or the settlor's legal representative, if any, if the settlor is living but incapacitated. The court can determine who is an interested person in a particular case, so the meaning may vary from one case to the next.
Inventory	A detailed list of property and other assets with their estimated or actual values. A guardian or conservator must file an inventory with the court within 90 days after appointment.
Jurisdiction	The legal authority of a court to hear and determine a case. Jurisdiction also means the power of the court over the persons involved in a case and over the subject matter of the case.
Letters of guardianship or conservatorship	The document issued by the court authorizing the appointment of the guardian/conservator and the extent of the powers of the guardian/conservator to act on behalf of the minor.
Minor	A child under the age of 18 who, by law, does not have the capacity to manage his or her affairs.
Notice	Written notification that a petition for appointment of a guardian has been filed and the date, time and location of the hearing. The notice will also include a description of the respondent's rights and possible effects if the petition is granted.
Objection	To oppose some statement, claim, or procedure in a trial or other proceeding. For example, in guardianship proceedings, an interested person may object to (oppose) the appointment of a particular guardian or the claim that the respondent is incapacitated or the request that guardian should have certain authority.

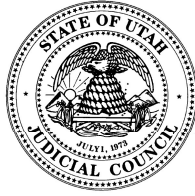
Parens patriae	A Latin phrase meaning literally “parent of the country” and used to refer traditionally to the role of the sovereign as guardian of persons under legal disability, such as minor children or incapacitated adults.
Petition	A document filed to initiate a case, setting forth the alleged grounds for the court to take jurisdiction and asking the court to grant the petitioner’s request.
Petitioner	The person who files the petition, asking the court to do something. In guardianship proceedings, the petitioner is often, although not always, the person asking to be appointed as guardian.
(Durable) Power of attorney	A written document in which one person, as principal, appoints another as agent, and gives that agent authority to do certain specified acts or kinds of acts, on behalf of the principal. Completing a power of attorney document does not require a court proceeding. The principal should sign the document before a notary public.
Private, public, and protected records	Most records filed in the district courts and justice courts are "public" records, meaning that anyone who asks can view the record and make a copy of it. Many public records are available on the court's website. Some records are "private," meaning that only the parties, their lawyers, and a few others can view and copy the record. Less common are "protected" records, meaning also that only the parties, their lawyers and a few others can view and copy the record. Records in guardianship and conservatorship proceedings are private, except that the court’s orders and letters of appointment are public.
Protected person	The person in a guardianship proceeding who has been determined by the court to be a minor, or an adult deemed to be legally incapacitated and in need of a guardian. Also, the person in a conservatorship proceeding who has been determined by the court to be in need of a conservator.
Representative payee	If an agency, such as the Veteran’s Administration or the Social Security Administration, pays benefits to the protected person who has been found by the court to be incapacitated, the agency must appoint a representative payee to receive the payments. This appointment is separate from the court-appointed guardian and conservator. Any person wishing to serve as the representative payee must apply to the agency that provides the benefits. In most cases, the agency will appoint the court-appointed guardian or conservator as representative payee. However, the agency providing the benefits has the authority to appoint any person it chooses to be the protected person’s representative payee. Once appointed by the agency, the representative payee has the authority to receive and handle the benefits for the protected person.
Respondent	The person who responds to a petition. In a guardianship/conservatorship proceeding, the minor or the person alleged to be incapacitated and in need of protection.

Serving papers	Serving papers—also called service of process—means delivering a copy of the papers filed with the court to the other parties and interested persons. Court rules require that all parties and interested persons be served with a copy of all papers filed and be given time to respond.
Standard of proof	There are three standards of proof in most court proceedings: (1) Beyond a reasonable doubt (the highest standard) means that the evidence must be firmly convincing about the truth of the fact to be proved. This standard applies in all criminal and juvenile delinquency cases. (2) Preponderance of the evidence (the lowest standard) means that the evidence must show that the fact to be proved is more likely true than not true. This standard applies in most civil cases. (3) Clear and convincing evidence (a middle standard) means that the evidence must leave no serious doubt about the truth of the fact to be proved. This standard applies in some civil cases, including deciding whether a person is incapacitated.
Status report	The guardian's yearly report to the court on the well-being of the protected person. The annual report shows the protected person's status and care and alerts the court to any changes.
Statute	A law passed by the Utah state legislature.
Temporary guardian	Until the full hearing and order of the court, a temporary guardian is charged with the care and custody of the minor and must not permit the minor to be removed from the state. The authority of any permanent guardian previously appointed by the court is suspended so long as a temporary guardian has authority. A temporary guardian may be removed at any time, and must obey the court's orders.
Trust	A transaction in which the owner (called the trustor or settlor) of real property (land) or personal property (things) gives ownership to a trustee, to hold and to manage for the benefit of a third party (called the "beneficiary").
Trustee	A fiduciary in whom an estate, interest, or power is vested, under an express or implied agreement, to hold and to manage for the benefit of another.
Utah Code	The collection of all statutes enacted by the Utah legislature.
Utah Rules of Civil Procedure	The rules governing court procedures in all actions of a civil nature.
Venue	The county, city or geographical area in which a court with jurisdiction may hear and determine a case. A change of venue, that is, a change to a court in a different area, may be requested under some circumstances.



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Tab 5



Administrative Office of the Courts

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

July 6, 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

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.

Second District - Weber County Adult Mental Health Court - Judge Catherine Conklin.

The program has successfully transitioned to a new presiding judge while maintaining its strong, participant-centered approach. A newly implemented structured phase advancement system provides milestones and meaningful recognition of participant progress, while a two-defense-attorney model enhances due process by ensuring timely client consultation and support. Court hearings consistently celebrate participant successes, reinforce strengths, and conclude with encouragement that underscores the team's ongoing commitment to each participant's recovery. Based on the certification checklist, team interviews, and court observations, the Statewide Treatment Court Certification Coordinator recommends certification of the Second District Weber County Adult Mental Health Court.

REQUIRED CERTIFICATION CRITERIA:

#10. The program has a written policy addressing medically assisted treatment.

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

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.

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

NON-CERTIFICATION RELATED BEST PRACTICE STANDARDS:

#8. Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Mental Health Court.

The team marked “No”. While employment, education, and other pro-social activities are encouraged, many Mental Health Court participants have significant functional limitations due to serious mental illness, including civil commitment or long-term disability, which may preclude participation. The team makes individualized accommodations and focuses on clinically appropriate, developmentally matched pro-social engagement rather than a uniform graduation requirement.

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

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

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

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

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

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

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

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

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

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



Administrative Office of the Courts

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

July 6, 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

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.

Sixth District - Sanpete County Adult Recovery Court - Judge Brody Keisel. The program demonstrates a commendable commitment to participant success through a collaborative, multidisciplinary team approach, meaningful judicial engagement, and ongoing continuous quality improvement efforts. Overall, the team's dedication to creating an adaptive, supportive, and recovery-focused community environment is a significant strength of the program. Based on the certification checklist, team interviews, and court observations, the Statewide Treatment Court Certification Coordinator recommends certification of the Sixth District Adult Recovery Court.

REQUIRED CERTIFICATION CRITERIA: The court meets all required certification

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.

criteria.

PRESUMED CERTIFICATION CRITERIA:

#27. All Drug Court team members, including court personnel and other criminal justice professionals, receive formal training on delivering trauma-informed services.

The team marked “No.” The team has experienced the addition of new members, and resources were included in the Jurisdiction Report. In November 2025, some team members attended the biannual Utah Treatment Court Conference, and several have also participated in the annual national conference. The Statewide Treatment Court Coordinator and Certification Coordinator will work with the Education Department to develop training modules to further support the teams.

#31. Team members are assigned to Drug Court for no less than two years.

The team marked “No”. The team has experienced the addition of new members, and resources were included in the Jurisdiction Report.

#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.

The team marked “No”. In November 2025, team members attended the biannual Utah Treatment Court Conference, and several have also participated in the annual national conference. The Statewide Treatment Court Coordinator and Certification Coordinator will work with the Education Department to develop training modules to further support the teams.

#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.

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.

NON-CERTIFICATION RELATED BEST PRACTICE STANDARDS:

#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. Team members are also encouraged to participate in state and national conferences.

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

The team initially selected “No”; however, after further discussion with Adult Probation and Parole, it was clarified that “Yes” was the correct response due to a shift in caseloads.

#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.

The team is working on implementing a more efficient system to collect this information but the Judicial Assistant’s minute entries and information entered into the CORE Problem-Solving Court tab are entered within the 48 hour timeframe. 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: Manti Utah
JUDGE NAME: Brody Keisel
REVIEW DATE: 4-16-24

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

YES NO

☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐

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

YES NO

☒ ☐

#	REQUIRED CERTIFICATION CRITERIA <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
☒	☐	50	Participants provide voluntary and informed consent permitting team members to share specified data elements relating to participants' progress in treatment and compliance with program requirements.	VIII.C.
☒	☐	51	Court fees are disclosed to each participant, are reasonable, and are based on each participant's ability to pay. Any fees assessed by the Drug Court must be reasonably related to the costs of testing or other services.	
☒	☐	52	Treatment fees are based on a sliding fee schedule and are disclosed to each participant.	
☒	☐	53	The Drug Court develops a remedial action plan and timetable to implement recommendations from the evaluator to improve the program's adherence to best practices.	X.D.*
☒	☐	54	The Drug Court has written policies and procedures that ensure confidentiality and security of participant information, which conform to all applicable state and federal laws, including, but not limited to, Utah's Governmental Records Access and Management Act (GRAMA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and 42 C.F.R. 2 (Confidentiality of Substance Abuse Disorder Patient Records).	VIII.C.*

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

YES NO

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

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

YES	NO	#	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS <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
☒	☐	1	The Drug Court offers a continuum of care for substance abuse treatment including detoxification, residential, sober living, day treatment, intensive outpatient and outpatient services.	V.A.
☒	☐	2	Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators.	V.E.
☒	☐	3	Treatment providers have substantial experience working with criminal justice populations.	V.H.
☒	☐	4	For at least the first ninety days after discharge from the Drug Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.	V.J.
☒	☐	5	Participants are assessed using a validated instrument for major mental health disorders that co-occur frequently in Drug Courts, including major depression, bipolar disorder (manic depression), posttraumatic stress disorder (PTSD), and other major anxiety disorders.	VI.E.
☒	☐	6	Participants with PTSD or severe trauma-related symptoms are evaluated for their suitability for group interventions and are treated on an individual basis or in small groups when	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.		
☒	☐	7	Female participants receive trauma-related services in gender-specific groups.	VI.F.
☒	☐	8	Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Drug Court.	VI.I.
☒	☐	9	Participants receive immediate medical or dental treatment for conditions that are life-threatening, cause serious pain or discomfort, or may lead to long-term disability or impairment.	VI.J.
☐	☒	10	Before starting a Drug Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Drug Courts and develop fair and effective policies and procedures for the program.	VIII.F.
☐	☒	11	Supervision caseloads do not exceed fifty active participants per supervision officer.	IX.B.
☒	☐	12	Caseloads for clinicians must permit sufficient opportunities to assess participant needs and deliver adequate and effective dosages of substance abuse treatment and indicated complementary services.	IX.C.
☒	☐	13	The Drug Court continually monitors participant outcomes during enrollment in the program, including attendance at scheduled appointments, drug and alcohol test results, graduation rates, lengths of stay, and in-program technical violations and new arrests or referrals.	X.B.*
☒	☒	14	Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Drug Court's adherence to best practices and in-program outcomes.	X.F.
☒	☐	15	Outcomes are examined for all eligible participants who entered the Drug Court regardless of whether they graduated, withdrew, or were terminated from the program.	X.H.
☒	☐	16	The Drug Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants.	II.B. X.E.
		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>	

UTAH JUDICIAL COUNCIL
ADULT DRUG COURT CERTIFICATION CHECKLIST

REVISED AND ADOPTED DECEMBER 16, 2019 AND MODIFIED JUNE 26, 2023

COURT LOCATION: Manti Utah
 JUDGE NAME: Brody Keisel
 REVIEW DATE: 4-16-24

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

YES NO

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

YES NO

☒ ☐

#	REQUIRED CERTIFICATION CRITERIA <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
☒	☐	50	Participants provide voluntary and informed consent permitting team members to share specified data elements relating to participants' progress in treatment and compliance with program requirements.	VIII.C.
☒	☐	51	Court fees are disclosed to each participant, are reasonable, and are based on each participant's ability to pay. Any fees assessed by the Drug Court must be reasonably related to the costs of testing or other services.	
☒	☐	52	Treatment fees are based on a sliding fee schedule and are disclosed to each participant.	
☒	☐	53	The Drug Court develops a remedial action plan and timetable to implement recommendations from the evaluator to improve the program's adherence to best practices.	X.D.*
☒	☐	54	The Drug Court has written policies and procedures that ensure confidentiality and security of participant information, which conform to all applicable state and federal laws, including, but not limited to, Utah's Governmental Records Access and Management Act (GRAMA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and 42 C.F.R. 2 (Confidentiality of Substance Abuse Disorder Patient Records).	VIII.C.*

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

YES NO

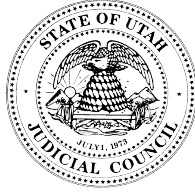
		PRESUMED CERTIFICATION CRITERIA		BPS
		#	<i>There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.</i>	
			or alcohol test has been scheduled.	
☒	☐	13	Randomly selected specimens are tested periodically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

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

YES	NO	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS		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>	
☒	☐	1	The Drug Court offers a continuum of care for substance abuse treatment including detoxification, residential, sober living, day treatment, intensive outpatient and outpatient services.	V.A.
☒	☐	2	Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators.	V.E.
☒	☐	3	Treatment providers have substantial experience working with criminal justice populations.	V.H.
☒	☐	4	For at least the first ninety days after discharge from the Drug Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.	V.J.
☒	☐	5	Participants are assessed using a validated instrument for major mental health disorders that co-occur frequently in Drug Courts, including major depression, bipolar disorder (manic depression), posttraumatic stress disorder (PTSD), and other major anxiety disorders.	VI.E.
☒	☐	6	Participants with PTSD or severe trauma-related symptoms are evaluated for their suitability for group interventions and are treated on an individual basis or in small groups when	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.		
☒	☐	7	Female participants receive trauma-related services in gender-specific groups.	VI.F.
☒	☐	8	Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Drug Court.	VI.I.
☒	☐	9	Participants receive immediate medical or dental treatment for conditions that are life-threatening, cause serious pain or discomfort, or may lead to long-term disability or impairment.	VI.J.
☐	☒	10	Before starting a Drug Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Drug Courts and develop fair and effective policies and procedures for the program.	VIII.F.
☐	☒	11	Supervision caseloads do not exceed fifty active participants per supervision officer.	IX.B.
☒	☐	12	Caseloads for clinicians must permit sufficient opportunities to assess participant needs and deliver adequate and effective dosages of substance abuse treatment and indicated complementary services.	IX.C.
☒	☐	13	The Drug Court continually monitors participant outcomes during enrollment in the program, including attendance at scheduled appointments, drug and alcohol test results, graduation rates, lengths of stay, and in-program technical violations and new arrests or referrals.	X.B.*
☒	☒	14	Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Drug Court's adherence to best practices and in-program outcomes.	X.F.
☒	☐	15	Outcomes are examined for all eligible participants who entered the Drug Court regardless of whether they graduated, withdrew, or were terminated from the program.	X.H.
☒	☐	16	The Drug Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants.	II.B. X.E.
		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

July 6, 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

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.

Sixth District - Kane County Adult Recovery Court Certification - Judge Alex Goble. The program operates within a highly collaborative, well-supported, recovery-oriented environment, strengthened by strong county and community investment and a non-punitive culture that emphasizes accountability, connection, and sustained recovery support. Based on the certification checklist, team interviews, and court observations, the Statewide Treatment Court Certification Coordinator recommends certification of the Sixth District Adult Recovery Court.

REQUIRED CERTIFICATION CRITERIA:

#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.

The team marked "No" but then circled "Yes". After further clarification it was determined that the correct response was "Yes".

#10. The program has a written policy addressing medically assisted treatment.

The team marked "No" and wrote "We do not currently have a written policy on medically assisted treatment but we do allow it with appropriate medical oversight, and we refer

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.

treatment with that.” A recommendation to include a written policy was submitted on the Jurisdiction Report.

#46. Participants are not required to participate in job seeking or vocational skills development in the early phases of drug court.

The team marked “No” but then marked “Yes”. After further clarification it was determined that the correct response was “Yes”.

PRESUMED CERTIFICATION CRITERIA:

#23. Before participants enter the peer support groups, treatment providers use an evidence-based preparatory intervention, such as 12-step facilitation therapy.

The team marked “No”. The team indicated they would begin providing informal preparation for peer support groups through guidance on structure and expectations. However, there is a strong alumni group that attends court, commencements and is active in the community.

#29. Participants complete a brief evidence-based educational curriculum describing concrete measures they can take to prevent or reverse drug overdose.

The team marked “No” but indicated that overdose prevention education has been offered in the past through USARA presentations. The team plans to resume these sessions and explore additional resources to ensure participants receive overdose prevention education.

#35. The Drug Court has more than 15 but less than 125 active participants.

The team marked “No” and wrote “We only have 10 participants right now.” Stakeholders proactively identify eligible candidates through regular docket reviews, collaborative case discussions, and ongoing communication, allowing referrals and assessments to occur quickly, often within a week, and ensuring immediate access to treatment and Recovery Court services without a waiting list.

NON-CERTIFICATION RELATED BEST PRACTICE STANDARDS:

#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.

The team marked “No” and stated “We do not do any official tracking of applications at this time.” 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.

#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” and stated “We do not do any official tracking of applications at this time.” 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” and indicated they do not have high enough members for this to be relevant. The team was encouraged to begin tracking this information, and 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: Kanab, Utah
 JUDGE NAME: Alex Gotte
 REVIEW DATE: 5.13.2026

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

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

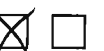
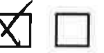
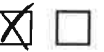
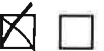
YES	NO	#	REQUIRED CERTIFICATION CRITERIA <i>Adherence to these standards is required for certification.</i>	BPS
☒	☐	30	Upon entering the Drug Court, participants receive a clear and comprehensive explanation of their rights and responsibilities relating to drug and alcohol testing.	VII.I.
☒	☐	31	The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

YES NO



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

YES NO

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

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

YES	NO	#	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS <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
☒	☐	1	The Drug Court offers a continuum of care for substance abuse treatment including detoxification, residential, sober living, day treatment, intensive outpatient and outpatient services.	V.A.
☒	☒	2	Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators.	V.E.
☒	☐	3	Treatment providers have substantial experience working with criminal justice populations.	V.H.
☒	☐	4	For at least the first ninety days after discharge from the Drug Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.	V.J.
☒	☐	5	Participants are assessed using a validated instrument for major mental health disorders that co-occur frequently in Drug Courts, including major depression, bipolar disorder (manic depression), posttraumatic stress disorder (PTSD), and other major anxiety disorders.	VI.E.
☒	☐	6	Participants with PTSD or severe trauma-related symptoms are evaluated for their suitability for group interventions and are treated on an individual basis or in small groups when	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.		
☒	☐	7	Female participants receive trauma-related services in gender-specific groups.	VI.F.
☒	☐	8	Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Drug Court.	VI.I.
☒	☐	9	Participants receive immediate medical or dental treatment for conditions that are life-threatening, cause serious pain or discomfort, or may lead to long-term disability or impairment.	VI.J.
☒	☐	10	Before starting a Drug Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Drug Courts and develop fair and effective policies and procedures for the program.	VIII.F.
☒	☐	11	Supervision caseloads do not exceed fifty active participants per supervision officer.	IX.B.
☒	☐	12	Caseloads for clinicians must permit sufficient opportunities to assess participant needs and deliver adequate and effective dosages of substance abuse treatment and indicated complementary services.	IX.C.
☒	☐	13	The Drug Court continually monitors participant outcomes during enrollment in the program, including attendance at scheduled appointments, drug and alcohol test results, graduation rates, lengths of stay, and in-program technical violations and new arrests or referrals.	X.B.*
☐	☒	14	Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Drug Court's adherence to best practices and in-program outcomes.	X.F.
☐	☒	15	Outcomes are examined for all eligible participants who entered the Drug Court regardless of whether they graduated, withdrew, or were terminated from the program.	X.H.
☐	☒	16	The Drug Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants.	II.B. X.E.
Yes		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

July 6, 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

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.

Seventh District - Emery County Adult Recovery Court Certification - Judge Jeremiah Humes. The Judge fosters a respectful, recovery-oriented courtroom environment through meaningful participant engagement, while team members actively contribute to individualized case planning and continuous program improvement. Together, they have developed a program that promotes accountability, reduces barriers to recovery, and supports long-term positive outcomes for participants. Based on the certification checklist, team interviews, and court observations, the Statewide Treatment Court Certification Coordinator recommends certification of the Seventh District Adult Recovery Court.

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

PRESUMED CERTIFICATION CRITERIA:

#11. Drug test results are available within 48 hours.

The team selected “yes” and “no.” The team reported that drug test results are occasionally delayed, particularly over holiday weekends when laboratories are closed. However, immediate

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.

testing remains available through Adult Probation and Parole and the Sheriff's Office when substance use is suspected.

#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.

The team selected "yes" and "no." The Judge provides an informal orientation for new team members and reviews the Adult Treatment Court Best Practice Standards as needed. The Statewide Treatment Court Coordinator and Certification Coordinator will collaborate with the Education Department to develop additional training modules to further support teams. Team members are also encouraged to attend the biannual Utah Treatment Court Conference as well as annual national conferences.

#35. The Drug Court has more than 15 but less than 125 active participants.

The team marked "No". The team currently has 8 active participants following a recent commencement and several terminations. Despite the small census, stakeholders proactively identify eligible candidates through regular docket reviews, collaborative case discussions, and ongoing communication regarding referrals.

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

The team marked "No". While the rural setting results in staff familiarity with participants and information is accessible through E-Prosecutor, the team was encouraged to implement a formal process to consistently collect and document this data. The Statewide Treatment Court Steering Committee is collaborating with the CORE Problem-Solving Court Subcommittee to develop standardized data entry policies and procedures to improve consistency statewide.

#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.

The team marked "No". The program does not currently have a formal process in place for independent evaluation at five-year intervals.

#40. The program conducts an exit interview for self-improvement.

The team selected "yes" and "no." Adult Probation and Parole and Four Corners have previously conducted informal participant interviews to gather feedback. Additionally, participants nearing commencement are engaged in reflective discussions regarding their experience in Recovery Court and treatment. A recommendation was made to develop a formalized exit interview process, and examples were provided during the site visit.

NON-CERTIFICATION RELATED BEST PRACTICE STANDARDS:

#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.

The team selected “yes” and “no.” Four Corners provides many of these levels of care; however, not all are available within the program, and referrals are utilized as needed, including placement in residential facilities or hospitalization when clinically appropriate.

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

The team marked “No” and wrote “Group sizes rarely exceed 12 participants, and when they do, two facilitators are present. Medicaid standards do not require two facilitators for groups of 12 participants or fewer.”

#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”. Recent staff turnover resulted in several team members being unable to attend the biannual Utah Treatment Court Conference. Available resources were reviewed during the site visit and provided in the Jurisdiction Report. While no formal pre-implementation training structure currently exists, the Judge provides individualized orientation to new team members. The Statewide Treatment Court Coordinator and Certification Coordinator will collaborate with the Education Department to develop structured training modules to further support teams.

#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.

The team selected “yes” and “no”; however, after further discussion with Four Corners, it was determined that the correct response was “Yes.”

#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.

The team selected “yes” and “no”; however, after further discussion with Four Corners, it was determined that the correct response was “Yes.”

#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 selected “yes” and “no”; however, after further discussion with Four Corners, it was determined that the correct response was “Yes.”

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

The team selected “yes” and “no”. The team was encouraged to implement a more efficient and systematic process for collecting and reviewing this data. Additionally, the Statewide Treatment Court Steering Committee is collaborating with the CORE Problem-Solving Court

Subcommittee to develop standardized data entry policies and procedures to promote consistency across programs statewide.

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

COURT LOCATION: Castle Dale

JUDGE NAME: Judge Humes

REVIEW DATE: 05/27/2026

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

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

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

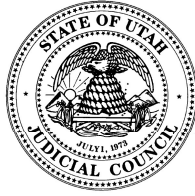
YES	NO	#	PRESUMED CERTIFICATION CRITERIA <i>There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.</i>	BPS
☒	☐	1	Eligibility and exclusion criteria are communicated to potential referral sources.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

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

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

YES	NO	#	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS <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
☒	☒	1	The Drug Court offers a continuum of care for substance abuse treatment including detoxification, residential, sober living, day treatment, intensive outpatient and outpatient services.	V.A.
☐	☒	2	Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators.	V.E.
☒	☐	3	Treatment providers have substantial experience working with criminal justice populations.	V.H.
☒	☐	4	For at least the first ninety days after discharge from the Drug Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.	V.J.
☒	☐	5	Participants are assessed using a validated instrument for major mental health disorders that co-occur frequently in Drug Courts, including major depression, bipolar disorder (manic depression), posttraumatic stress disorder (PTSD), and other major anxiety disorders.	VI.E.
☒	☐	6	Participants with PTSD or severe trauma-related symptoms are evaluated for their suitability for group interventions and are treated on an individual basis or in small groups when	VI.F.

YES	NO	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS <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.	
☒	☐	7	Female participants receive trauma-related services in gender-specific groups.	VI.F.
☒	☐	8	Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Drug Court.	VI.I.
☒	☐	9	Participants receive immediate medical or dental treatment for conditions that are life-threatening, cause serious pain or discomfort, or may lead to long-term disability or impairment.	VI.J.
☐	☒	10	Before starting a Drug Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Drug Courts and develop fair and effective policies and procedures for the program.	VIII.F.
☒	☐	11	Supervision caseloads do not exceed fifty active participants per supervision officer.	IX.B.
☒	☐	12	Caseloads for clinicians must permit sufficient opportunities to assess participant needs and deliver adequate and effective dosages of substance abuse treatment and indicated complementary services.	IX.C.
☒	☒	13	The Drug Court continually monitors participant outcomes during enrollment in the program, including attendance at scheduled appointments, drug and alcohol test results, graduation rates, lengths of stay, and in-program technical violations and new arrests or referrals.	X.B.*
☒	☒	14	Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Drug Court's adherence to best practices and in-program outcomes.	X.F.
☒	☒	15	Outcomes are examined for all eligible participants who entered the Drug Court regardless of whether they graduated, withdrew, or were terminated from the program.	X.H.
☒	☒	16	The Drug Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants.	II.B. X.E.
	☒	17	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.	



Administrative Office of the Courts

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

July 6, 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

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.

Seventh District - San Juan County Adult Drug Court Certification - Judge Don Torgerson. The program uses a participant-centered, therapeutic approach that balances accountability with encouragement and support. The judge reinforces progress, engages participants with empathy and curiosity, and consults the treatment team to ensure responses remain recovery-focused while recognizing milestones such as sobriety anniversaries. The program also builds recovery capital by promoting community service and encouraging graduates to remain engaged as positive role models. Based on the certification checklist, team interviews, and court observations, the Statewide Treatment Court Certification Coordinator recommends certification of the Seventh District San Juan County Adult Drug Court.

REQUIRED CERTIFICATION CRITERIA:

#46. Participants are not required to participate in job seeking or vocational skills development in the early phases of drug court.

The team marked “No” and wrote “Work hours, community service, or school is required.” The team prioritizes immediate stability needs and connects participants to available work, community service, and educational opportunities to support financial stability and recovery capital within the constraints of a rural service system with limited resources.

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.

PRESUMED CERTIFICATION CRITERIA:

#28. Participants with deficient employment or academic histories receive vocational or educational services beginning in a late phase of Drug Court.

The team marked “No.” Due to the rural setting and very limited availability of vocational and educational resources, employment expectations are introduced earlier in the program. The team works throughout participation to connect individuals with available employment supports and skill-building opportunities, though options within the community are limited.

#35. The Drug Court has more than 15 but less than 125 active participants.

The team marked “No.” The program continues to actively refer and screen potential participants; however, admissions are being carefully managed to maintain appropriate supervision capacity. Recent transitions within the Sheriff’s Office have impacted available supervision resources. As the largest rural county, the team is prioritizing a sustainable caseload to ensure participants receive the necessary level of monitoring, structure, and support for effective program engagement.

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

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

NON-CERTIFICATION RELATED BEST PRACTICE STANDARDS:

#4. For at least the first ninety days after discharge from the Drug Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.

The team 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.

#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.

The team marked “No”. Due to limited rural resources, immediate care is not always available. The team prioritizes urgent needs and works to connect participants to available services as quickly as possible.

#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.

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

COURT LOCATION: San Juan County (Monticello)

JUDGE NAME: Don M. Torgerson

REVIEW DATE: June 16, 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
☒	☐	1	Eligibility and exclusion criteria are defined and applied objectively.	I.A.
☒	☐	2	Eligibility and exclusion criteria are specified in writing.	I.A.
☒	☐	3	The program admits only participants who are high-risk high-need as measured by the RANT or some other approved and validated assessment tool.	I.B.*
☒	☐	4	Candidates for the Drug Court are assessed for eligibility using validated risk-assessment tool that has been demonstrated empirically to predict criminal recidivism or failure on community supervision and is equivalently predictive for women and racial or ethnic minority groups that are represented in the local arrestee population.	I.C.
☒	☐	5	Candidates for the Drug Court are assessed for eligibility using validated clinical-assessment tool that evaluates the formal diagnostic symptoms of substance dependence or addiction.	I.C.
☒	☐	6	Evaluators are trained and proficient in the administration of the assessment tools and interpretation of the results.	I.C.
☒	☐	7	Current or prior offenses may not disqualify candidates from participation in the Drug Court unless empirical evidence demonstrates offenders with such records cannot be managed safely or effectively in a Drug Court.	I.D.
☒	☐	8	Offenders charged with non-drug charges, drug dealing or those with violence histories are not excluded automatically from participation in the Drug Court.	I.D.
☒	☐	9	If adequate treatment is available, candidates are not disqualified from participation in the Drug Court because of co-occurring mental health or medical conditions or because they have been legally prescribed psychotropic or addiction medication.	I.E.
☒	☐	10	The program has a written policy addressing medically assisted treatment.	
☒	☐	11	Participants ordinarily appear before the same judge throughout their enrollment in the Drug Court.	III.C.
☒	☐	12	The judge regularly attends pre-court staff meetings during which each participant's progress is reviewed and potential consequences for performance are discussed by the Drug Court team.	III.D.
☒	☐	13	Participants appear before the judge for status hearings no less frequently than every two weeks during the first phase of the program. In rural areas, some allowance may be made for other appearances or administrative reviews when the judge is unavailable.	III.E.

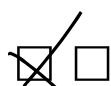
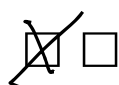
YES	NO	#	REQUIRED CERTIFICATION CRITERIA <i>Adherence to these standards is required for certification.</i>	BPS
☒	☐	14	Status hearings are scheduled no less frequently than every four weeks until participants graduate. In rural areas, some allowance may be made for other appearances or administrative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

YES NO

☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☒ ☐☐ ☒☒ ☐☒ ☐☒ ☐

#	REQUIRED CERTIFICATION CRITERIA <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. <i>(work hours, community service, or school is required)</i>	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



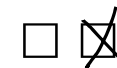
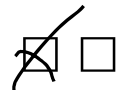
#	REQUIRED CERTIFICATION CRITERIA <i>Adherence to these standards is required for certification.</i>	BPS
50	Participants provide voluntary and informed consent permitting team members to share specified data elements relating to participants' progress in treatment and compliance with program requirements.	VIII.C.
51	Court fees are disclosed to each participant, are reasonable, and are based on each participant's ability to pay. Any fees assessed by the Drug Court must be reasonably related to the costs of testing or other services.	
52	Treatment fees are based on a sliding fee schedule and are disclosed to each participant.	
53	The Drug Court develops a remedial action plan and timetable to implement recommendations from the evaluator to improve the program's adherence to best practices.	X.D.*
54	The Drug Court has written policies and procedures that ensure confidentiality and security of participant information, which conform to all applicable state and federal laws, including, but not limited to, Utah's Governmental Records Access and Management Act (GRAMA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and 42 C.F.R. 2 (Confidentiality of Substance Abuse Disorder Patient Records).	VIII.C.*

YES NO



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

YES NO



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

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

YES	NO	#	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS <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
☒	☐	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. <i>(Via outside providers, when participants qualify)</i>	V.A.
☒	☐	2	Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators.	V.E.
☒	☐	3	Treatment providers have substantial experience working with criminal justice populations.	V.H.
☐	☒	4	For at least the first ninety days after discharge from the Drug Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.	V.J.
☒	☐	5	Participants are assessed using a validated instrument for major mental health disorders that co-occur frequently in Drug Courts, including major depression, bipolar disorder (manic depression), posttraumatic stress disorder (PTSD), and other major anxiety disorders.	VI.E.
☒	☐	6	Participants with PTSD or severe trauma-related symptoms are evaluated for their suitability for group interventions and are treated on an individual basis or in small groups when	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.	
☒	☐	7	Female participants receive trauma-related services in gender-specific groups.	VI.F.
☒	☐	8	Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Drug Court.	VI.I.
☐	☒	9	Participants receive immediate medical or dental treatment for conditions that are life-threatening, cause serious pain or discomfort, or may lead to long-term disability or impairment.	VI.J.
☐	☒	10	Before starting a Drug Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Drug Courts and develop fair and effective policies and procedures for the program.	VIII.F.
☒	☐	11	Supervision caseloads do not exceed fifty active participants per supervision officer.	IX.B.
☒	☐	12	Caseloads for clinicians must permit sufficient opportunities to assess participant needs and deliver adequate and effective dosages of substance abuse treatment and indicated complementary services.	IX.C.
☒	☐	13	The Drug Court continually monitors participant outcomes during enrollment in the program, including attendance at scheduled appointments, drug and alcohol test results, graduation rates, lengths of stay, and in-program technical violations and new arrests or referrals.	X.B.*
☒	☐	14	Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Drug Court's adherence to best practices and in-program outcomes.	X.F.
☒	☐	15	Outcomes are examined for all eligible participants who entered the Drug Court regardless of whether they graduated, withdrew, or were terminated from the program.	X.H.
☒	☐	16	The Drug Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants.	II.B. X.E.
☒	☐	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>	

Yes.



Administrative Office of the Courts

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

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

MEMORANDUM

TO: Management Committee, Judicial Council

FROM: Katy Erickson, Statewide Treatment Court Administrator
[Cris Seabury](#), Statewide Treatment Court Certification Coordinator

RE: Treatment Court Certification - Recommendations
Third District Mental Health Court, Judge Brereton

According to UCJA [Rule 4-409](#) regarding the Council's Approval of Problem-Solving Courts, each problem-solving court must undergo a certification review every two years. Before making certification recommendations, the Statewide Treatment Court Certification Coordinator reviews the certification checklist approved by the Council, examines all relevant documents related to the court's operations, and interviews each team member. The Statewide Treatment Court Certification Coordinator also conducts site visits to each court to observe the pre-court staff meeting, the court hearing, and prepares a jurisdiction report. This report highlights the court's strengths, offers recommendations for improvement, and provides resources to support the certification process.

The following Courts are submitted to the Council for approval:

This memo provides an overview of the items on the Utah Judicial Council Mental Health Court Certification Checklist that were either marked "no," left blank, or included a qualifying note indicating non-compliance or a structural deviation.

It is important to acknowledge, as noted by team members during interviews, that the current certification checklist is heavily based on adult drug court criteria, which do not always appropriately apply to the Mental Health Court (MHC) model. Multiple stakeholders have expressed that being evaluated under these standards can be frustrating, as certain criteria simply do not align with the needs of individuals whose primary diagnosis is mental illness rather than a substance use disorder (SUD).

Below is a summary of the checklist items that require review, categorized by standard type.

**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.**

1. Required Certification Criteria - The Court meets all required criteria.

- **Criterion 5 (Clinical Assessment for SUD):** This item evaluates whether candidates are assessed for symptoms of substance dependence. It was noted that **not all MHC participants have a substance use disorder**, as candidates are only required to have the appropriate risk level and mental health diagnosis. This aligns with defense counsel's concern that mandatory urinalysis testing for participants without a SUD lacks medical justification and medicalizes behavior without clinical need.
- **Criteria 41 & 42 (Peer Support Curriculum & Secular Alternatives):** These items require 12-step or Smart Recovery models and secular alternatives. Notes on the checklist indicate that these requirements appear to be specific to drug courts. Treatment providers will assess the need for peer support and community based support meetings. Most participants in mental health court do not have a substance use diagnosis.
- **Criterion 51 (Court Fees):** The checklist requires court fees to be reasonable and disclosed. A note clarifies that the MHC does not assess court fees.
- **Criterion 52 (Sliding Scale Treatment Fees):** The criteria require treatment fees to be based on a sliding scale. The reviewer noted that participants are almost entirely using Medicaid to fund their treatment. If participants are funded through Medicaid, no sliding fee scale is needed for treatment.

2. Presumed Certification Criteria

- **Criterion 13 (Broad Range Drug Testing):** This standard requires randomly selected specimens to be periodically tested for a broader range of emerging drugs. The reviewer noted that most participants already receive full panel screens, which notably includes testing for prescribed medications.
- **Criterion 23 (Preparatory Interventions for Peer Support):** Requires evidence-based preparatory interventions, like 12-step facilitation therapy, before entering peer support. Treatment providers identify appropriate self help and support services for mental health court participants.
- **Criterion 28 (Vocational/Educational Services):** This standard requires that participants with deficient employment/academic histories receive vocational services. The checklist notes that most participants are unable to meet vocational/education goals. Participants are referred to vocational rehabilitation services as needed.
- **Criterion 29 (Overdose Prevention Curriculum):** Requires an evidence-based educational curriculum on preventing drug overdoses. Treatment providers will address overdose prevention with participants who have a substance use diagnosis. This criteria does not apply to all Mental Health Court participants.
- **Criterion 33 (Continuing Education Workshops):** Requires team members to attend continuing education workshops on specific topics annually. A note

clarifies that the team attends the court-provided treatment conference, and treatment providers complete their continuing education outside of the MHC.

- **Criterion 37 (Monitoring Recidivism 3 Years Post-Entry):** Requires monitoring new arrests and incarcerations for three years post-entry. The reviewer indicated that the court has "just began this process".
- **Criterion 38 (Independent Evaluation Every 5 Years):** Requires a skilled, independent evaluator to examine program adherence. The court has not conducted an independent evaluation. The Salt Lake County District Attorney's Office has been collecting admission and completion data which the team reviews on a quarterly basis.
- **Criterion 39 (Data Recording within 48 Hours):** Requires staff to record provision of services and outcomes within 48 hours. The reviewer stated they have "no knowledge of this". Treatment providers, probation, defense attorney and the prosecutor document data critical to their role and interactions with the participants.

3. Non-Certification-Related Best Practice Standards

- **Criterion 2 (Treatment Group Sizes & Facilitators):** Recommends groups have no more than 12 participants and at least two facilitators. The reviewer noted they are unaware of the size of the groups, but most participants receive individual therapy in addition to group therapy. Per the treatment provider, groups census fall within the recommended guidelines.
- **Criterion 4 (Post-Discharge Contact):** Recommends case managers contact participants periodically for 90 days post-discharge. Instead of this structured outreach, the reviewer noted that **most participants simply continue in treatment after completing MHC**. (Notably, defense counsel has expressed a strong desire to establish a "Friends of Mental Health Court" program specifically to provide structured aftercare and community support for graduates).
- **Criterion 8 (Stable Job/School as a Graduation Condition):** Recommends requiring a job or educational enrollment to graduate. A note explicitly states that **"this is not a requirement of MHC"**.
- **Criterion 10 (Pre-implementation Training):** Recommends formal pre-implementation training before starting a mental health court. This item was answered directly as **"No"**. The Statewide Treatment Court Steering Committee in partnership with the Administrative Office is developing an onboarding training plan for new treatment courts and team members. At this time, there is no national foundation training similar to the adult drug court training for mental health courts.
- **Criterion 12 (Clinical Caseloads):** Recommends caseloads that permit adequate assessment and treatment delivery. The reviewer noted they are

unaware of clinical caseload sizes. Per the treatment provider, clinical caseloads are monitored and permit adequate assessment and treatment delivery.

- **Criterion 14 (Electronic Database Summaries):** Recommends compiling statistical summaries from an electronic database for real-time practice monitoring. The reviewer believes "we do not do this in MHC". (Interview feedback confirms that while the team uses Smartsheet for informal tracking, there is a distinct lack of funding for dashboards, a shared case management system, or a dedicated data analyst). Utah lacks a statewide treatment court case management system. The Salt Lake County District Attorney's Office collects some data points as it relates to their role in the court.
- **Criterion 16 (Monitoring Historically Disadvantaged Groups):** Recommends monitoring if these groups complete the program at equivalent rates. The reviewer stated they are "not aware that we monitor in this way".

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

COURT LOCATION: Third District Court, Matheson Courthouse

NAME: Judge Heather Brereton

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

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

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

YES	NO	#	REQUIRED CERTIFICATION CRITERIA <i>Adherence to these standards is required for certification.</i>	BPS
☒	☐	49	Pre-court staff meetings are presumptively closed to participants and the public unless the court has good reason for a participant to attend discussions related to that participant's case.	VIII.B.
☒	☐	50	Participants provide voluntary and informed consent permitting team members to share specified data elements relating to participants' progress in treatment and compliance with program requirements.	VIII.C.
☐	☐	51	Court fees are disclosed to each participant, are reasonable, and are based on each participant's ability to pay. Any fees assessed by the Mental health Court must be reasonably related to the costs of testing or other services. We do not assess court fees.	
☐	☐	52	Treatment fees are based on a sliding fee schedule and are disclosed to each participant. <u>Our participants are almost entirely using medicaid to fund treatment.</u>	
☒	☐	53	The Mental health Court develops a remedial action plan and timetable to implement recommendations from the evaluator to improve the program's adherence to best practices.	X.D.*
☒	☐	54	The Mental health Court has written policies and procedures that ensure confidentiality and security of participant information, which conform to all applicable state and federal laws, including, but not limited to, Utah's Governmental Records Access and Management Act (GRAMA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and 42 C.F.R. 2 (Confidentiality of Substance Abuse Disorder Patient Records).	VIII.C.*

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

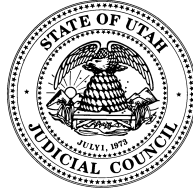
YES	NO	#	PRESUMED CERTIFICATION CRITERIA <i>There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.</i>	BPS
☒	☐	11	Drug test results are available within 48 hours.	VII.H.
☒	☐	12	Participants are required to deliver a test specimen within 8 hours of being notified that a drug or alcohol test has been scheduled.	VII.B.
☐	☐	13	Randomly selected specimens are tested periodically for a broader range of substances to detect any new drugs of abuse that might be emerging in the Mental health Court population. Most of our participants have full panel screens which includes testing for prescribed medications	VII.D.
☒	☐	14	If a participant denies substance use in response to a positive screening test, a portion of the same specimen is subjected to confirmatory analysis using an instrumented test, such as gas chromatography/mass spectrometry (GC/MS).	VII.G.
☒	☐	15	Standardized patient placement criteria govern the level of care that is provided.	V.A.
☒	☐	16	Adjustments to the level of care are predicated on each participant's response to treatment and are not tied to the Mental health Court's programmatic phase structure.	V.A.
☒	☐	17	Participants receive a sufficient dosage and duration of substance abuse treatment to achieve long-term sobriety and recovery from addiction.	V.D.
☒	☐	18	Participants meet with a treatment provider or clinical case manager for at least one individual session per week during the first phase of the program.	V.E.
☒	☐	19	Participants are screened for their suitability for group interventions, and group membership is guided by evidence-based selection criteria including participants' gender, trauma histories and co-occurring psychiatric symptoms.	V.E.
☒	☐	20	Treatment providers administer behavioral or cognitive-behavioral treatments that are documented in manuals and have been demonstrated to improve outcomes for addicted persons involved in the criminal justice system.	V.F. VI.G
☒	☐	21	Treatment providers are proficient at delivering the interventions and are supervised regularly to ensure continuous fidelity to the treatment models.	V.F.
☒	☐	22	Treatment providers are supervised regularly to ensure continuous fidelity to evidence-based practices.	V.H.
☐	☐	23	Before participants enter the peer support groups, treatment providers use an evidence-based preparatory intervention, such as 12-step facilitation therapy. This appears to be specific to drug court	V.I
☒	☐	24	Participants prepare a continuing-care plan together with their counselor to ensure they continue to engage in pro-social activities and remain connected with a peer support group after their discharge from the Mental health Court.	V.J.
☒	☐	25	Where indicated, participants receive assistance finding safe, stable, and drug-free housing beginning in the first phase of Mental health Court and continuing as necessary throughout their enrollment in the program.	VI.D.
☒	☐	26	Participants are assessed using a validated instrument for trauma history, trauma-related symptoms, and posttraumatic stress disorder (PTSD).	VI.F.
☒	☐	27	All Mental health Court team members, including court personnel and other criminal justice professionals, receive formal training on delivering trauma-informed services.	VI.F.
☐	☐	28	Participants with deficient employment or academic histories receive vocational or educational services beginning in a late phase of Mental health Court. Our goal is SS disability rather than work/school.	VII.I.
☐	☐	29	Participants complete a brief evidence-based educational curriculum describing concrete measures they can take to prevent or reverse drug overdose. I have no knowledge of this. Some of our participants do not have a substance abuse diagnosis.	VI.L

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
☒	☐	30	Clients are placed in the program within 50 days of eligibility screening.	
☒	☐	31	Team members are assigned to Mental health Court for no less than two years.	
☒	☐	32	All team members use electronic communication to contemporaneously communicate about Mental health Court issues.	
☐	☐	33	Subsequently, team members attend continuing education workshops on at least an annual basis to gain up-to-date knowledge about best practices on topics including substance abuse and mental health treatment, complementary treatment and social services, behavior modification, community supervision, drug and alcohol testing, team decision making, and constitutional and legal issues in Mental health Courts. Our team attends the treatment conference through the court and providers have continuing education outside of MHC.	VIII.F.
☒	☐	34	New staff hires receive a formal orientation training on the Mental health Court model and best practices in Mental health Courts as soon as practicable after assuming their position and attend annual continuing education workshops thereafter.	VIII.F.
☒	☐	35	The Mental health Court has more than 15 but less than 125 active participants.	IX.A.*
☒	☐	36	The Mental health Court monitors its adherence to best practice standards on at least an annual basis, develops a remedial action plan and timetable to rectify deficiencies, and examines the success of the remedial actions.	X.A.
☒	☐	37	New arrests, new convictions, and new incarcerations are monitored for at least three years following each participant's entry into the Mental health Court. We have just began this process.	X.C.
☐	☐	38	A skilled and independent evaluator examines the Mental health Court's adherence to best practices and participant outcomes no less frequently than every five years. I do not believe that we have done this every five years.	X.D.
☐	☐	39	Staff members are required to record information concerning the provision of services and in-program outcomes within forty-eight hours of the respective events. I have no knowledge of this.	X.G.
☐	☒	40	The program conducts an exit interview for self- improvement.	

YES	NO	#	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS <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
☒	☐	1	The Mental health Court offers a continuum of care for substance abuse treatment including detoxification, residential, sober living, day treatment, intensive outpatient and outpatient services.	V.A.
☐	☐	2	Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators. I am unaware of the size of groups. Most of our participants have individual therapy as well as groups.	V.E.
☒	☐	3	Treatment providers have substantial experience working with criminal justice populations.	V.H.
☒	☐	4	For at least the first ninety days after discharge from the Mental health Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated. Most of our participants continue in treatment after MHC.	V.J.
☒	☐	5	Participants are assessed using a validated instrument for major mental health disorders that co-occur frequently in Mental health Courts, including major depression, bipolar disorder (manic depression), posttraumatic stress disorder (PTSD), and other major anxiety disorders.	VI.E.

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

Tab 6



Administrative Office of the Courts

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

July 7, 2026

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

MEMORANDUM

TO: Management Committee

FROM: Hon. Kara Pettit, Hon. Rita Cornish, and Samantha Starks on behalf of the SB 270 Steering Committee

RE: SB 270 Steering Committee July 2026 Status Update

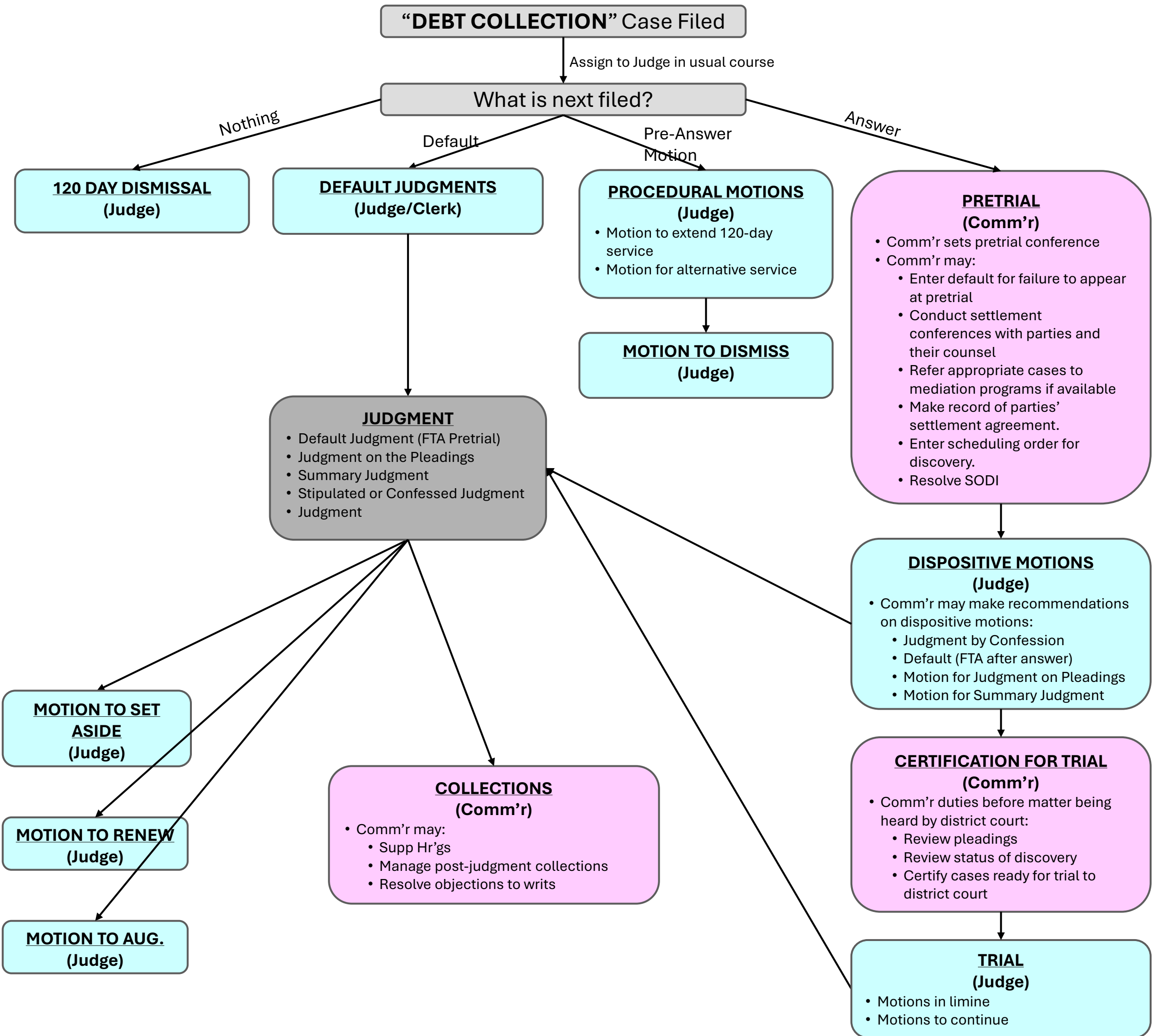
Hon. Kara Pettit (co-chair), Hon. Rita Cornish (co-chair), and Samantha Starks (staff) bring the following attachments as a status update for the SB 270 (Debt Collection & Housing Division) Steering Committee to the Judicial Council for review.

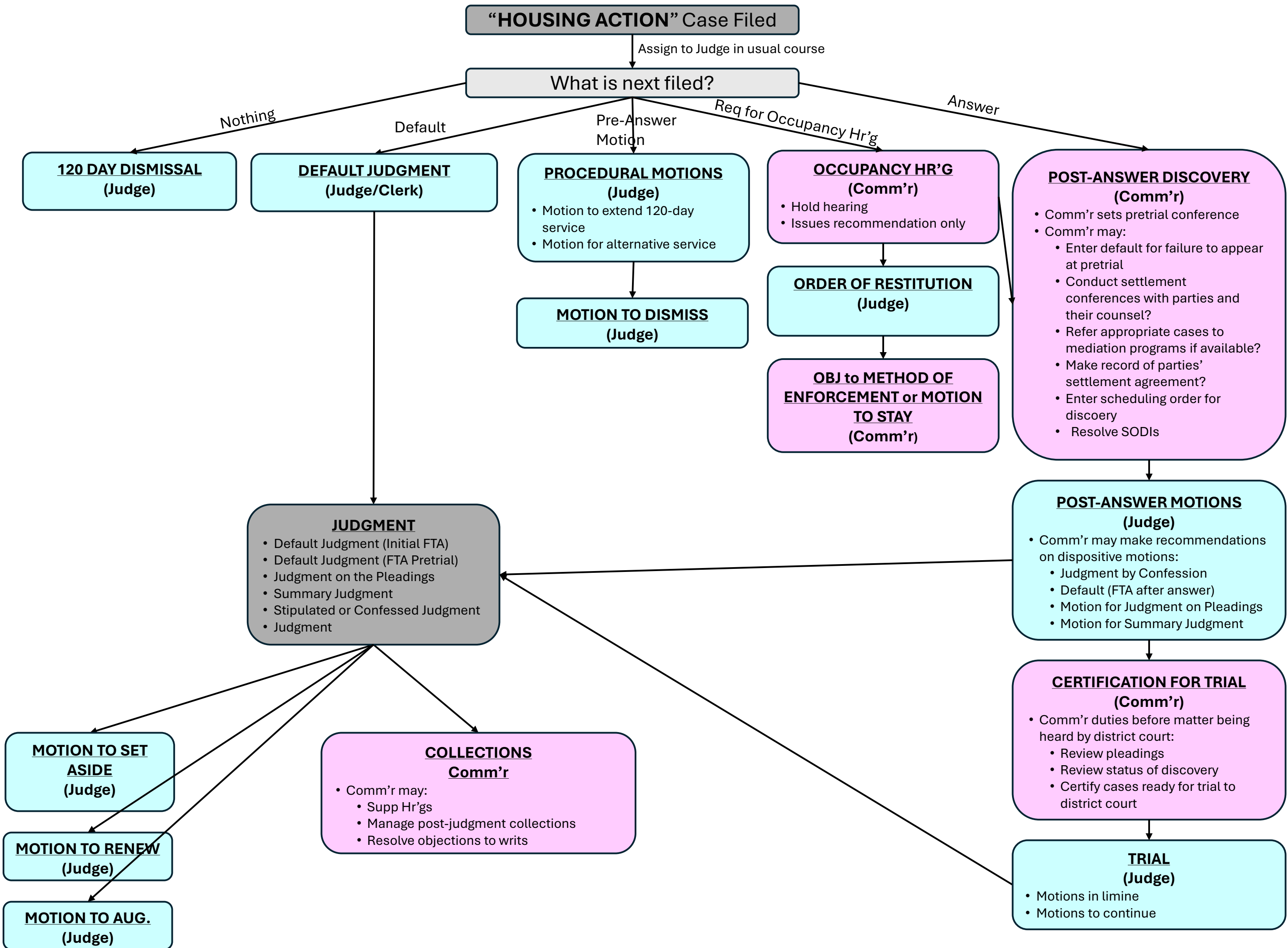
Attached are draft workflows that demonstrate the draft function of the Division. Also attached are current assignments of the committee as well as an implementation timeline that outlines deadlines required to be met in order to stand the new division up by January 1, 2027.

The committee is currently on track to stand the new Debt Collection & Housing Division of the District Courts up by January 1, 2027.

We welcome any questions or comments during the discussion of this update.

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.





SB 270 Steering Committee Implementation Timeline

- June 24, 2026
 - ☒ ~~SB270 Steering Committee to update SC on Steering Committee's status.~~
- July 1, 2026 (approximate)
 - ☐ Hire JA Lead/Manager position
- July 22, 2026
 - ☐ Judicial Council Report with feedback from HVC and SRL committees:
 - Flowcharts submitted to appropriate committees for review by the end of June.
- September 2026
 - ☐ Finalized list of IT enhancements/changes so programming can begin.
 - The clerical subcommittee will coordinate with IT as well.
- October 15th - November 15th, 2026
 - ☐ Commissioner start date range
 - ☐ JA team start date range
- October - December, 2026
 - ☐ CLE's for the Bar: toward the end of the year
 - Nick will address this with the Bar.
 - Possibly a breakout session at the fall forum
 - ☐ Bar Journal article about it.
 - Janine & Judge Cornish will address this.
- TBD
 - ☐ Forms
 - Will be addressed by subcommittee
 - ☐ Physical location of the division
 - ☐ Involving stakeholders

SB 270 Steering Committee Action Items (Updated as of July 2, 2026)

UCJA RULES:

- **[IN PROGRESS] PP&T Submission:** Submit the approved draft rules governing commissioner hiring, conduct, and performance evaluations—UCJA Rule 3-111 (Evaluation Rule), UCJA Rule 3-201(A) (Hiring Rules), UCJA Rule 3-201.02 (Court Commissioner Conduct Committee), and UCJA Rule 3-202 (Court Referees Prohibited)—to Keisa for inclusion on the July PP&T Committee agenda. (Targeting submission by July 1, 2026). Assigned: Samantha Starks
- **[IN PROGRESS] UCJA 6-701 Establishment of Division Rule:** Revise the initial drafted language to remove the on or after January 1, 2027 time restriction for housing action cases and adjust transfer terminology. (Targeting circulation ahead of the July 6 meeting). Assigned: Judge Pettit
- **[IN PROGRESS] UCJA Rule 6-702:** Revise the drafted administrative rule to align with Judge Pettit's Rule 6-701 updates, specifically clarifying transfer versus assignment language and the housing timeline changes. (Targeting circulation to the committee ahead of the July 6 meeting). Assigned: Judge Cornish, Judge McCullagh and Judge Griffin
- **[COMPLETED] UCJA Rule 3-111 (Evaluation Rule):** Drafted proposed changes to the rule governing performance evaluations for commissioners to adapt it for the new statewide jurisdiction. The committee approved sending the draft to the Policy & Planning (PP&T) Committee at the June 22 meeting, targeting the July 22 Judicial Council meeting for final approval. Assigned: Judge Pettit
- **[COMPLETED] UCJA Rule 3-201(A) (Hiring Rules):** Prepare revisions for the commissioner hiring rule, with the goal of submitting the internally approved draft to the Policy & Planning Committee by July 10. Assigned: Judge McCullagh
- **[COMPLETED] UCJA Rule 3-201.2 (Court Commissioner Conduct Committee):** Amend the rule to align the commissioner conduct and complaint procedures with the establishment of the new statewide division. Assigned: Judge Pettit
- **[COMPLETED] UCJA Rule 3-202 (Court Referees Prohibited):** Amend the rule to ensure it properly cross-references the new, separately numbered

commissioner selection rule for the statewide division. Assigned: Judge Pettit

STATUTES:

- **[IN PROGRESS] UCA 78A-5-107 (Court commissioners -- Qualifications -- Appointment -- Functions governed by rule):** Rework the drafted revisions to the existing statute by placing the proposed changes into a new subsection so they apply exclusively to the new division. Assigned: Judge McCullagh
- **[IN PROGRESS] Statutory Amendments & Codification:** Collaborate with legislative liaison Brian Bean and Senator Cullimore to run legislation (targeting the summer special session) to codify the necessary revisions to the Utah Code, specifically clarifying the commissioner appointment process under UCA 78A-5-107. Assigned: Michael Drechsel

URCP RULES:

- **[IN PROGRESS] URCP 200 Rule Series:** Seek feedback from the High-Volume Case Filing Ad-Hoc Committee on the preliminary set of drafted rules (modeled after small claims to emphasize mediation and suspend discovery) to refine them for operations specific to the division (targeting initial ad-hoc committee review on Wednesday, July 1, 2026). Assigned: Judge Stormont
- **Debt Collection Pleading Rules:** Evaluate requiring upfront proof of debt (such as contracts or account statements) to prevent default judgments on bare-bones complaints (targeting completion prior to final rule drafting). **Assigned: Judge Mrazik and Judge Stormont**

WORKFLOW ANALYSIS:

- **[IN PROGRESS] Workflow Flowcharts:** Update the workflow flowcharts to bring them back into alignment with the proposed Rule 6-701 and Rule 6-702 drafts. (targeting circulation ahead of the July 6 meeting). **Assigned: Judge Cornish**
- **[IN PROGRESS] Feedback re Workflow Flowcharts:** Brief the High-Volume Case Filing Ad-Hoc Committee on the steering committee's current drafts and direction at their July 1 meeting to gather feedback. Assigned: Judge Stormont.
- **[IN PROGRESS] Data Dashboard Management:** Continue to "slice and dice" and refine data in the dashboard to ensure the committee has accurate volume

metrics. This includes resolving overall tracking errors, adding new tabs (such as tracking hearing days to aid future scheduling), and updating the system to accurately track "Motions to Renew" by pulling data from the resulting orders rather than the initial motions (which often have non-specific document titles). Assigned: Tucker Samuelson.

- **[ONGOING] Senator Cullimore Outreach:** A dedicated subgroup managing informal, direct communication with Senator Cullimore to discuss necessary statutory changes and provide updates on committee progress. Assigned: Judge Cornish, Judge McCullagh, and Michael Drechsel

TIMELINE MANAGEMENT

- **[ONGOING] Implementation Deadlines:** Maintain the implementation timeline for key deliverables and track deadlines to ensure the committee makes decisions that can be successfully implemented by January 1. Assigned: Samantha Starks

STANDARDIZED FORMS (PLAINTIFF)

- **Standardized Forms:** Develop standardized plaintiff-side forms (using stock complaints as a baseline) in coordination with the High-Volume Case Filing Ad-Hoc Committee and the Forms Subcommittee. The drafts will then go to the Board of District Court Judges for approval and ultimately to the official Forms Committee for final formatting. Assigned: Judge Stormont and Janine

STATEWIDE RESOURCE MOBILIZATION:

- **[ONGOING] Statewide Resource Mobilization & Updates:** Provide ongoing updates regarding efforts to uniformly apply resources across the statewide calendars. This includes reporting on conversations with Utah State University's (USU) Transforming Communities Institute regarding a pilot program and a statewide coordinator, as well as the Legal Aid Society regarding a grant to hire a legal director to staff the statewide calendars. Assigned: Judge Mrazik
- **[ONGOING] Committee on Self-Represented Litigants Coordination:** Engage the Committee on Self-Represented Litigants as the central venue to connect community groups (including USU, Legal Aid, Utah Community Action, Utah Dispute Resolution, and the Bar's Access to Justice Office) so they have a

dedicated space to develop their resource plans. Assigned: Judge Mrazik and Janine

SUBCOMMITTEES:

- **[IN PROGRESS] Clerical Subcommittee:** Lead the newly formed Clerical Subcommittee to establish the division's functional, day-to-day clerical processes. This includes recruiting representatives from both urban and rural districts and coordinating with IT to finalize the list of required system enhancements by September 1 so programming can begin. Assigned: Samantha Starks
- **[IN PROGRESS] Forms Subcommittee:** Lead the Forms Subcommittee to assist in developing standardized plaintiff-side forms in coordination with the High-Volume Case Filing Ad-Hoc Committee. This includes recruiting members with intentional overlap from the High-Volume Case Filing Ad-Hoc Committee, and coordinating with both that ad hoc committee and the district court bench for approval before going to the official Forms Committee for final formatting. Assigned: Janine Liebert

DIVISION STAFFING

- **[IN PROGRESS] Staggered Staff Hiring:** Coordinate and execute the staggered hiring plan for the division's new positions to align with the committee's decision to delay onboarding the commissioners and JAs until mid-November to generate the vacancy (turnover) savings needed to fund the division's IT programming and facility renovations. Under this plan, Shane will complete the job descriptions and target hiring the Case Manager by mid-to-late July, while delaying onboarding for both the Commissioners and Judicial Assistants to a target start date of mid-November, representing a vacancy period of approximately 4.5 to 5 months. *Contingency Note: If the legislative special session for statutory amendments under UCA 78A-5-107 is delayed, build extra lead time into this specific recruitment timeline to accommodate having district court benches vote on the candidates.* Assigned: Shane Bahr

DIVISION BUDGET & FACILITIES

- **[IN PROGRESS] Budget & Chamber Space:** Relay the committee's formal recommendation to Ron that the division staff and commissioners be physically

co-located (identifying the Second and Third District courthouses as the most viable options). Additionally, gather firm documentation on the actual costs to renovate the chamber space to help finalize the budget and drive the hiring timeline. Assigned: Shane Bahr

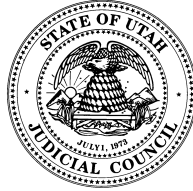
IT INFRASTRUCTURE & PROGRAMMING

- **IT Programming Requirements and Implementation:** Define the new statewide processing queue's mechanisms (including assignment flows, automated calendaring, and system permissions/roles for commissioners) to meet the requested September 1 deadline for finalizing IT programming requirements. This also includes adding a system checkbox to clearly flag for Judicial Assistants whether a commissioner recommended granting an Order of Restitution. Assigned: Brody Arishita

BAR OUTREACH & EDUCATION

- **Judicial Education:** Lead a breakout session at the Fall Judicial Conference (in coordination with the Judicial Institute) to train judges on upcoming workflow changes and rule implementation. Assigned: Shane Bahr
- **[IN PROGRESS] Practitioner CLEs:** Coordinate with the Bar to host Continuing Legal Education (CLE) sessions toward the end of the year (possibly including a breakout session at the fall forum) to educate the legal community about the new division's processes. Assigned: Nick Stiles
- **Bar Journal Article:** Draft and publish an article in the Bar Journal regarding the new division to help prepare the legal community prior to its launch. Assigned: Janine Liebert and Judge Cornish

Tab 7



Administrative Office of the Courts

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

July 20, 2026

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

MEMORANDUM

TO: Judicial Council

FROM: Jonathan Puente, Director OFA
Ramon Rudecindo, Language Access Program Manager

RE: Language Access Committee Annual Report

Below is a summary of the projects the Language Access Committee and Language Access Program (LAP) have implemented or accomplished in the last year and will be reporting on.

- The (LAP) in partnership with Utah State University, with legislative funding, launched a pilot program to train and certify Spanish court interpreters. Funding was provided for two cohorts, the first cohort ran from January to April. Over 300 people applied to the cohort, 50 were admitted. The second cohort starts this August and will go to November. Recruitment has already begun for the class.
- The LAP roll-out Interpreter Intelligence by Boostlingo. This interpreter scheduling software has been used by multiple judicial jurisdictions to aid in scheduling proceedings. As the number of interpreter requests doubled in the last three years, we needed this type of tool to help the coordination of a larger number of assignments and manage the costs of contract interpreters more efficiently. The software has been rolled out in the District and Juvenile Courts. It will be rolled out in the Justice Court in September. The software allows for cross district interpreter coordination, so it allows for more effective use of interpreters. The software has also eliminated contract interpreter double-booking. As more parts of the software are implemented, contract interpreter invoicing and payments will become significantly easier.
- A new coordinator model has been implemented. Previously, every district had its own part-time interpreter coordinator and only the Third District had a full-time coordinator. Due to the growth in proceedings requiring interpreters, we needed to make changes in how we coordinate assignments. We changed to three full-time coordinators. In this model they function as a type of dispatcher for quicker resolutions.
- The LAP also moved to a staff interpreter model; we have Spanish staff interpreters in most districts covering hearings.

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

- The LAP also streamlined the invoice process to significantly improve the time it takes to approve contract interpreter invoices and payments.
- UCJA 3-306.04 was amended twice. The first amendment was regarding sight translations. Some attorneys were showing up to proceedings with their evidence not being translated and were expecting interpreters to translate on the spot. The rule was edited to clarify how interpreters are supposed to be used in this kind of situation. The second time it was amended was regarding the inclusion of the interpreter scheduling software on the rule.
- The LAP held a CLE for attorneys on how to work effectively with interpreters in proceedings requiring language access needs.
- The LAP started working with BYU, University of Utah, and local Chinese associations to develop a Mandarin court interpreting pipeline program. Court interpreter recruitment for languages other than Spanish continues using our old certification models.

Tab 8



Court Facilities Planning Annual Report 2026

Proposed Five Year Capital Development Plan – FY27

Priority #1

2nd District Davis County Justice Center – Estimated Cost \$160M

Proposed shared building with County. Court spaces will include 15 courtrooms (2 shelled) to consolidate the existing Farmington, Layton and Bountiful courthouses into one facility.

Priority #2

5th District Cedar City Courthouse – Estimated Cost \$80M

Proposed new courthouse with 5 courtrooms (2 shelled) to consolidate the existing courthouse and Probation offices into one facility

Continued - Proposed Five Year Capital Development Plan – FY27

Priority #3

4th District Lehi Courthouse – Estimated Cost \$80M

Proposed new courthouse with 5 courtrooms (2 shelled) to replace the American Fork leased facility

Priority #4

7th District Moab Courthouse – Estimated Cost \$33M

Proposed new courthouse with 2 courtrooms to replace the existing leased facility

Continued - Proposed Five Year Capital Development Plan – FY27

Priority #5

6th District Richfield Courthouse– Estimated Cost \$46M

Proposed new courthouse with 3 courtrooms to replace existing courthouse

Priority #6

3rd District West Jordan Courthouse – Estimated Cost \$26M

Proposed expansion to add 6 courtrooms

Recap - Proposed Five Year Capital Development Plan – FY27

1. 2nd District Davis County Justice Center – Estimated Cost \$160M
2. 5th District Cedar City Courthouse – Estimated Cost \$80M
3. 4th District Lehi Courthouse – Estimated Cost \$80M
4. 7th District Moab Courthouse – Estimated Cost \$33M
5. 6th District Richfield Courthouse – Estimated Cost \$46M
6. 3rd District West Jordan Courthouse – Estimated Cost \$26M

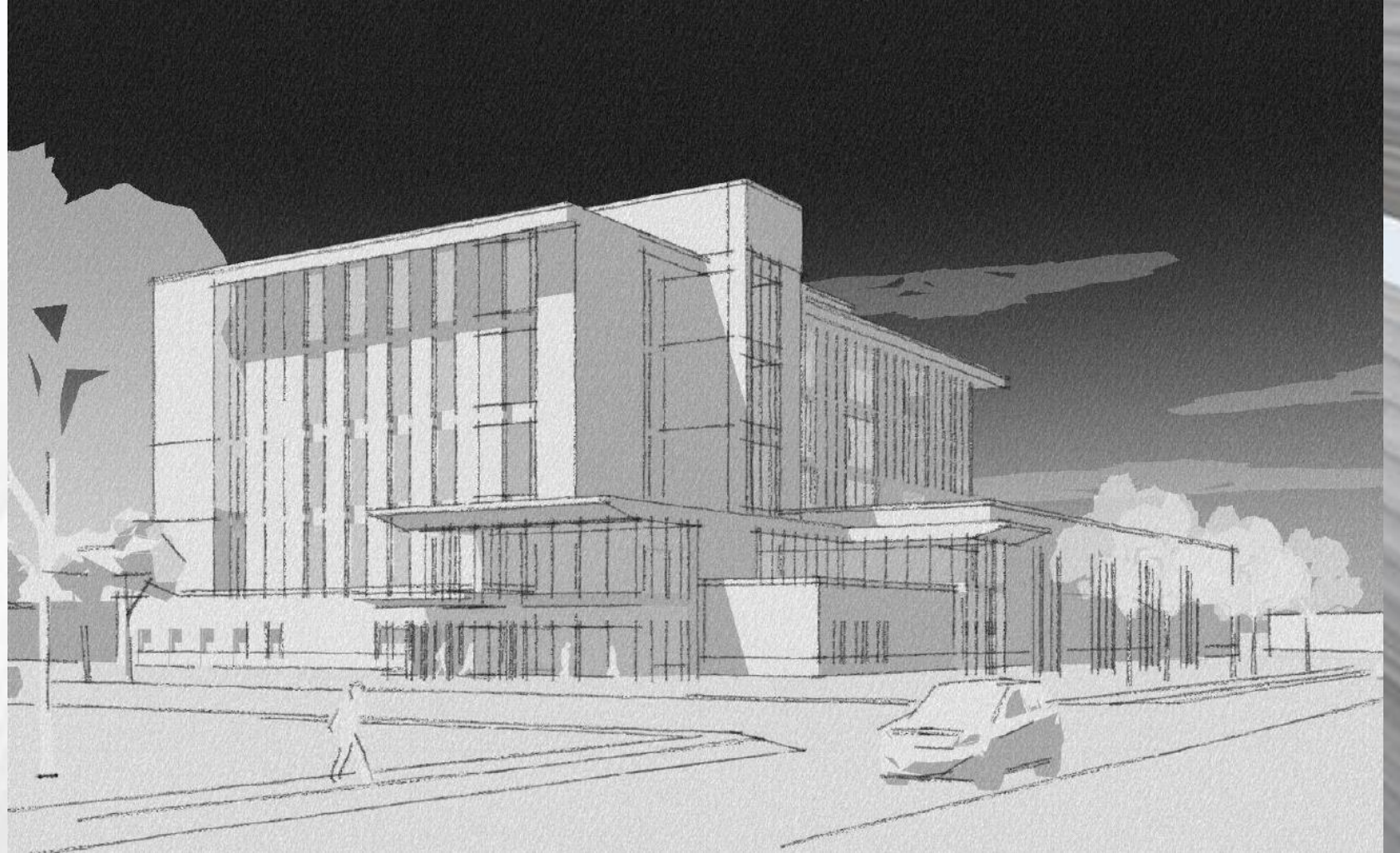
Capital Development Projects



New Davis County Justice Center

Shared Building
with County

\$160M Funding
Request for FY28



Design Goals

Combine Three Davis County Courthouses

Correct All Physical Security Deficiencies

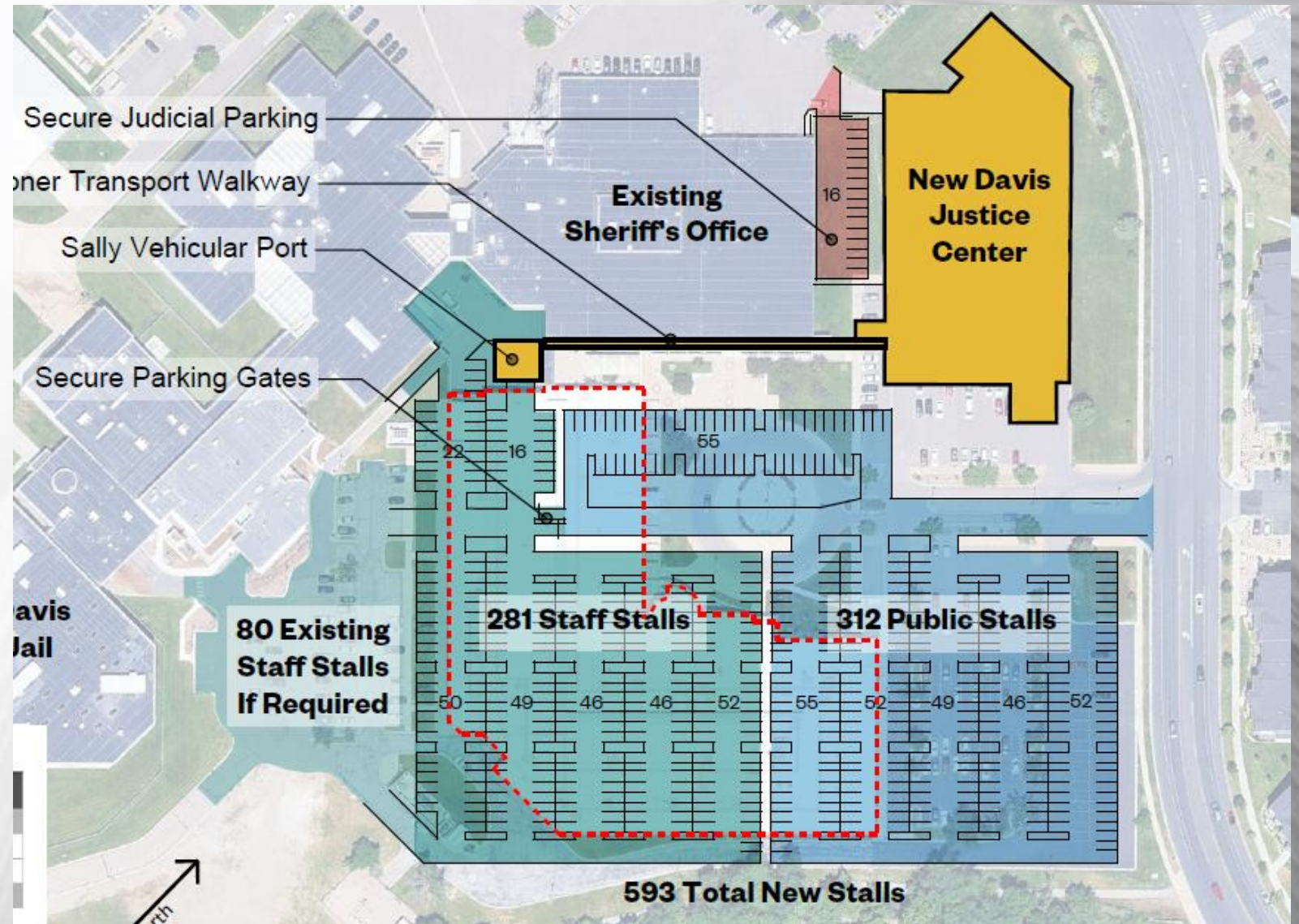
One Courtroom for Each Judge (13)

Inclusion of County Justice Courtroom

Shelled Courtrooms for Future Growth (2)

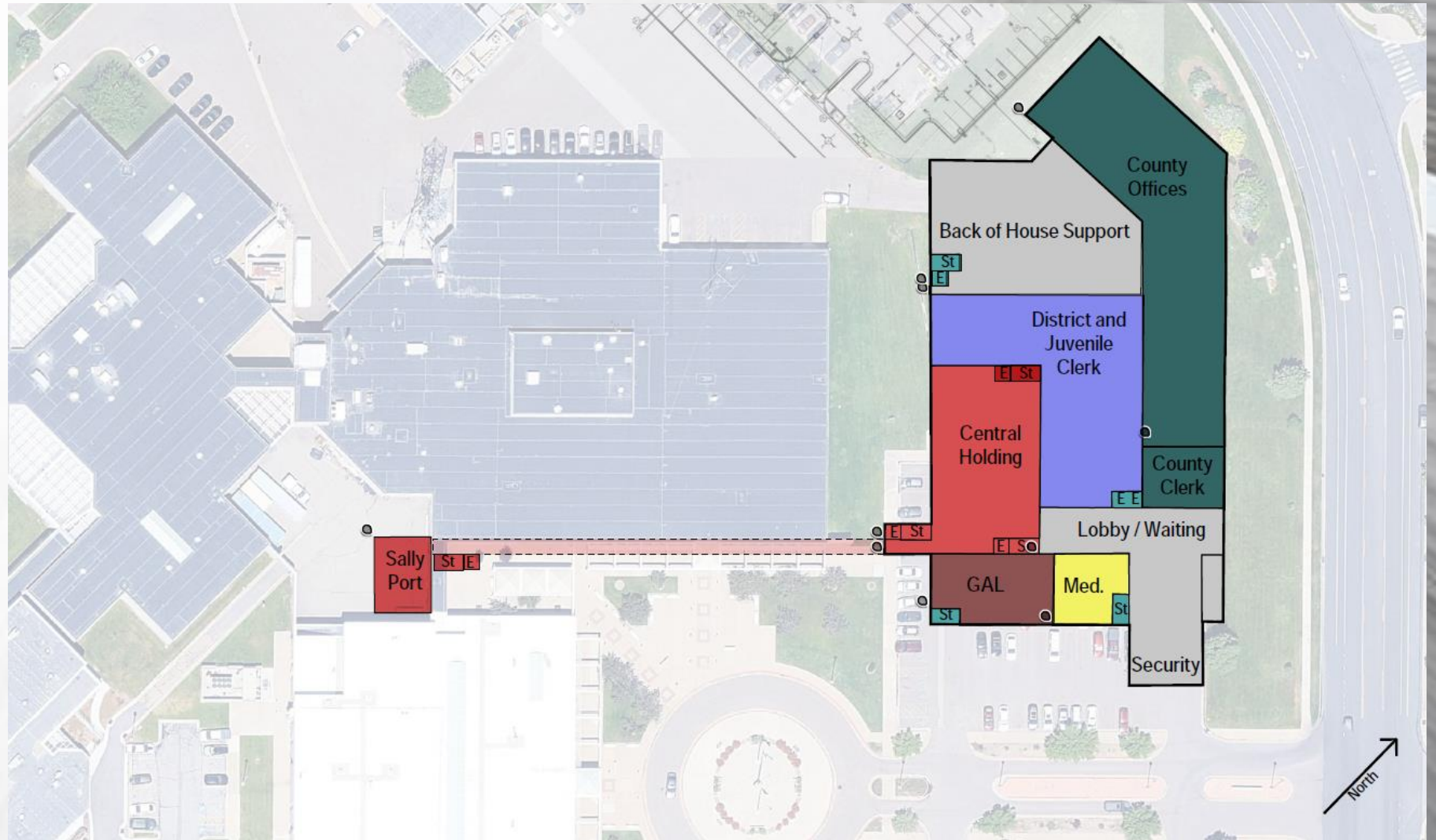
Site Plan

Parking Structure Eliminated



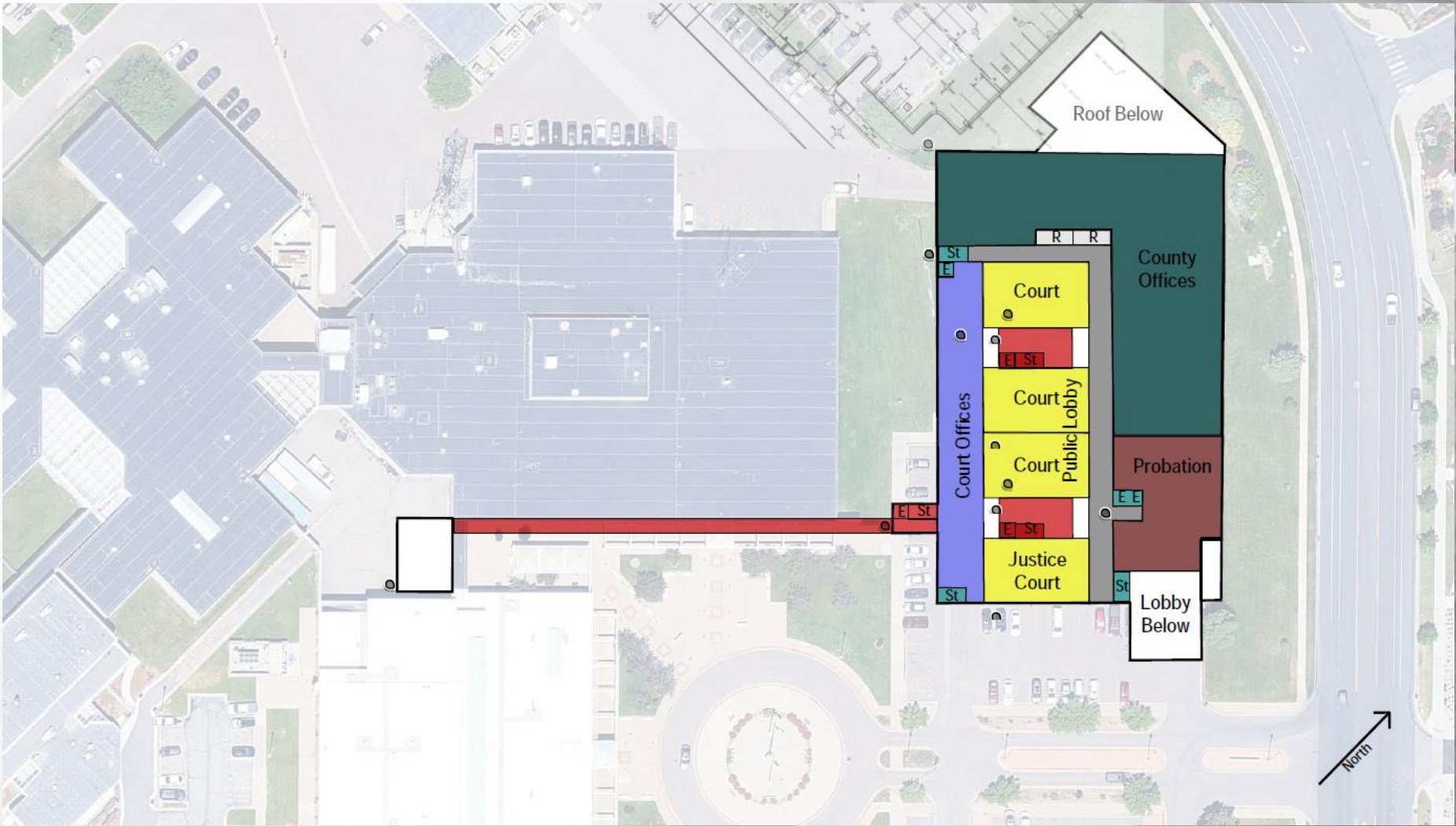
First Floor

Shared with
County



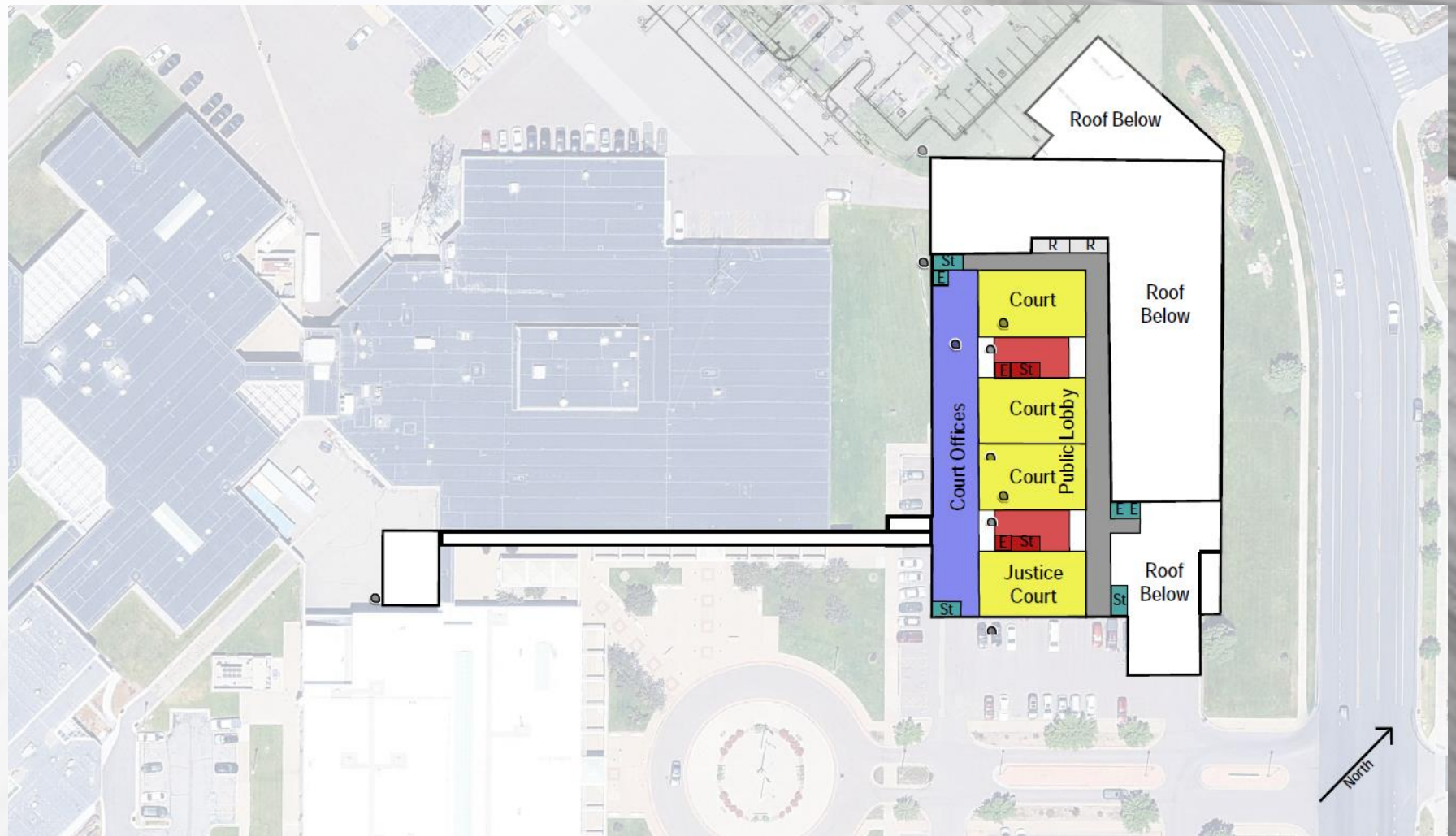
Second Floor

Shared with
County

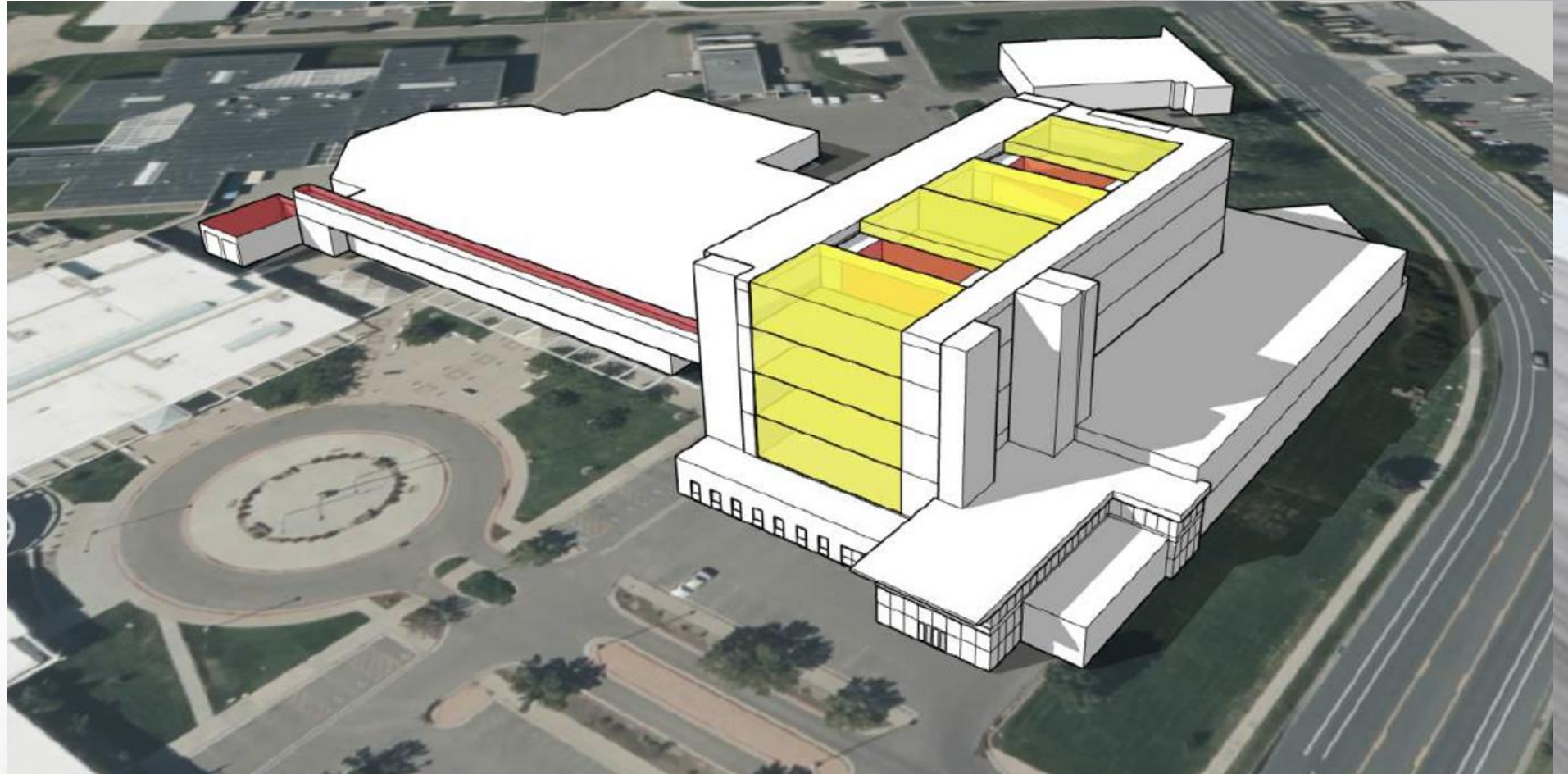


Third – Fifth Floors

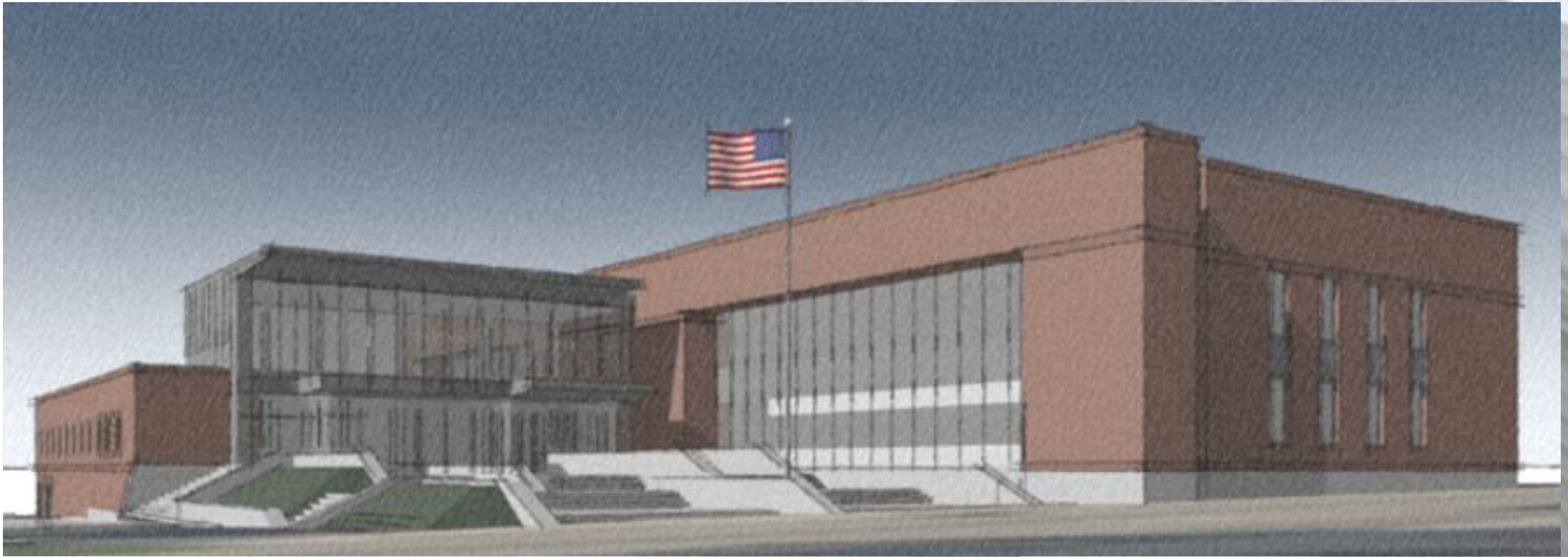
Court Spaces Only



Massing Study Southwest Elevation



New Cedar City Courthouse \$80M Funding Request for FY28



Proposed Site Plan

Propose Parking Count

Public Lot 92

Staff Lot 93

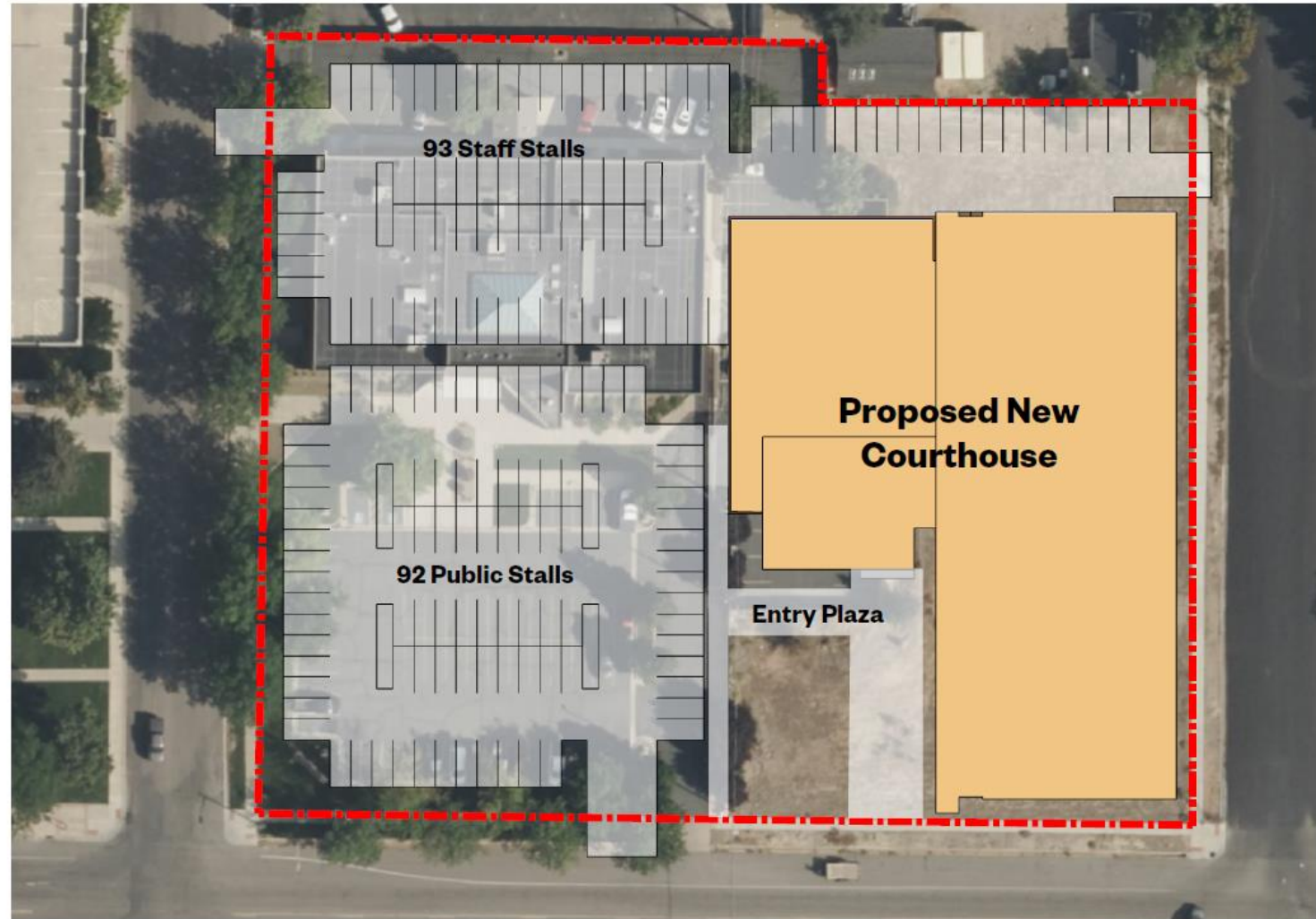
Total Parking 185

Existing Facility

Existing Public Lot 50

Existing Staff Lot 41

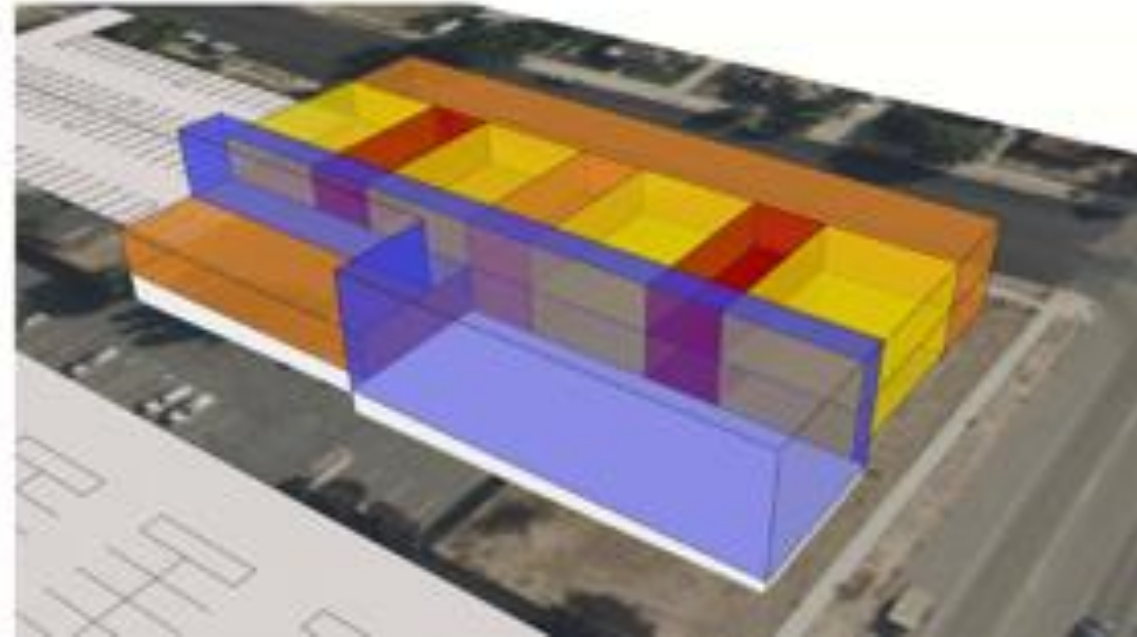
Total Existing Parking 91



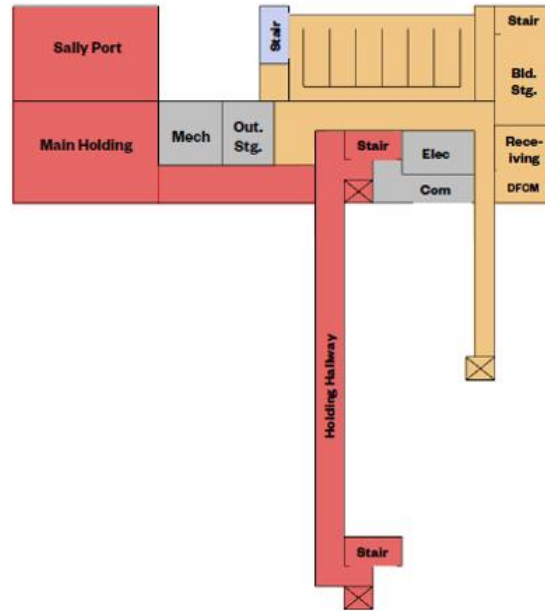
Floor Stacking



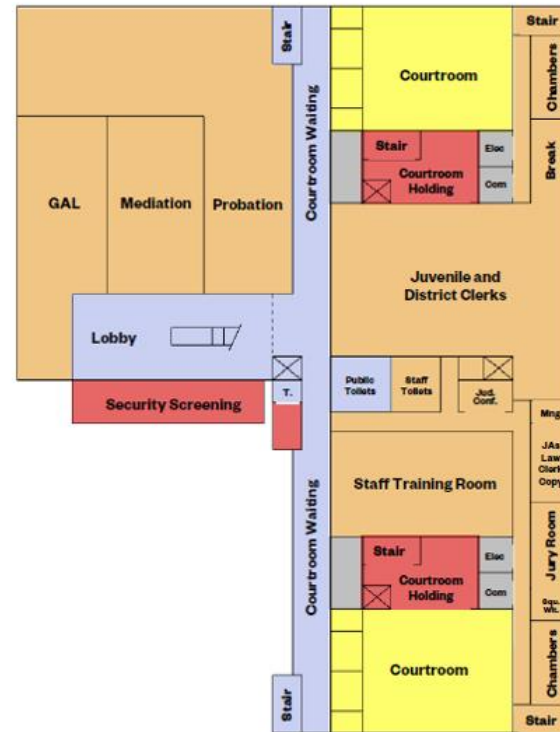
Site Section



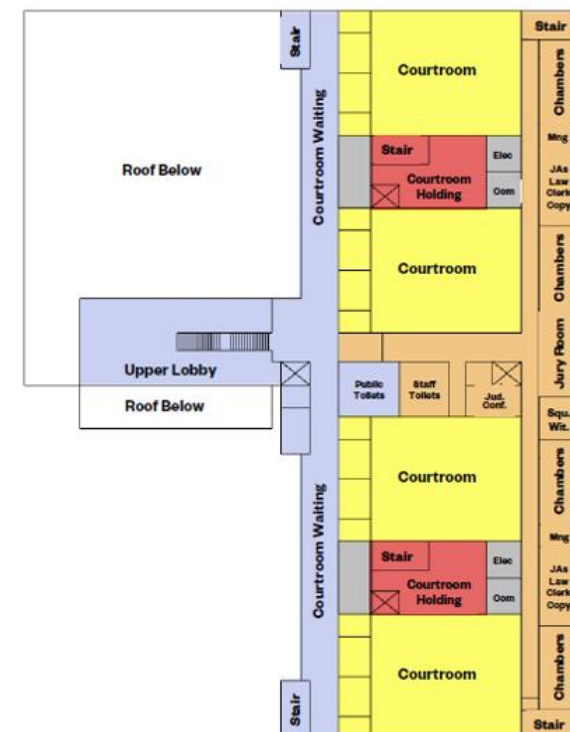
Three Stories with Five courtrooms



Basement Level



Level One



Level Two

Wasatch Justice Center Expansion

All Phases
Completed
July 2026



New District Courtroom

Opened
December
2025



New Juvenile Courtroom

Opened
December
2025



Clerks Office



Capital Improvement Projects



Law Library Remodel



Law Library Remodel



Law Library Remodel



Law Library Remodel





Questions?

Tab 9



Department of Criminal Justice

Indigent Defense Commission

2026 ANNUAL REPORT TO THE JUDICIAL COUNCIL

10 Years of Improving Indigent Defense

\$48M

in state funds leveraged

\$6.5M

in federal funds leveraged

\$110K → \$7.4M

from one Juab County grant to statewide annual grants



Expanded from one \$110,000 grant with Juab County to \$7.4 million in annual grants benefitting 24 counties and 2 cities



Created a statewide network of managing defenders to provide support and drive improvement for public defenders



Added more than 50 public defender contracts across the state to reduce caseloads and increase specialization



Added social workers to provide holistic defense support in parental defense and complex adult trial cases



Provided funding for defense resources like experts and investigators, plus funding for private contested adoption cases

Impact at a Glance

Through its grant program, training initiatives, and the Indigent Appellate Defense Division, the IDC continued to safeguard Sixth Amendment rights for Utahns who cannot afford counsel.



\$7.37M

distributed to counties
through the Grant Program



67%

of Court of Appeals wins
came from IADD attorneys



1,400+

hours of free CLE training
provided to public defenders

Scope of the Grant Program

FY 2026 GRANT YEAR



\$7,365,989

in grant funds

24 of 29

counties benefitting

98%

of appointed district court cases
are in grant-receiving counties

The IDC Grant Program supplies supplemental funding so local governments can provide effective indigent defense. For FY 2026, the IDC awarded almost \$7.4 million to 21 counties and two cities. Uintah, Weber, and Cache counties also help support services in neighboring Daggett, Morgan, and Rich counties.

Largest Caseload Counties (appointed district court cases)



AMID: Aggravated Murder Indigent Defense

IDC assumed management of the AMID Fund in 2024 — history and casework, April 2026 update



Trial Cases

14

total trial cases, 2024–2026

6

assumed cases in 2024

3

new cases in 2024

4

new cases in 2025

1

new case in 2026 to date



Appellate Cases

6

total appellate cases, 2024–2026

2

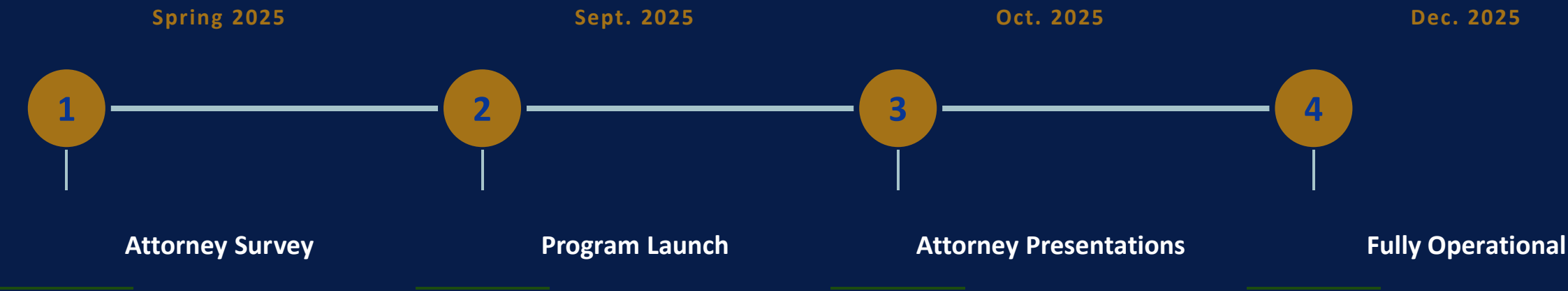
inherited appeals in 2024

4

new appeals, 2024–2026

Mitigation Program Timeline

From attorney survey to a fully operational mitigation program in under a year



- Barriers & process improvement identified
- Proposal to hire an in-house mitigation specialist
- Dr. Lancaster hired and onboarded
- Process development
- Immediate casework
- Three case requests in December, one in February
- Collateral system improvements

Casework Status & Impact

Since Dr. Lancaster joined IDC in September 2025



5

AMID trial cases — all appropriate cases



1

case resolved Jan. 2026 — report applied at sentencing



4

active cases in Box Elder, Tooele & Wayne counties



2

AMID appellate cases supported (adult & juvenile)

Process & Material Impacts

- Frontloaded mitigation investigation — expedient client contact and in-person interviews
- Process transparency and attorney-driven decision making across case teams
- Work product generation — mitigation memos plus preliminary and final reports
- Collateral system improvements — attorney outreach, forensic social work best practices

Conclusion: All early data indicates program efficacy, with clear procedural and fiscal benefits.

2026 Training Program

Free, high-quality CLE credit for indigent defenders statewide



Criminal Defense

Fourth Amendment Challenges to Advances in AI & Forensic Sciences

12

CLEs

12

Hours

720

Attendees



Juvenile Defense

Adolescent Brain Development & Emerging Adult Series

6

CLEs

11

Hours

306

Attendees



Family Defense

Financial Incentives Behind Termination of Parental Rights

6

CLEs

7

Hours

322

Attendees

Training Program: Statewide Reach

Free online CLEs, specialty series, and in-person trainings reached attorneys across Utah



Training for attorneys across
Utah

50%

of attendees from outside Salt
Lake City



Rural attorneys attended
CLEs

18%

of attendees from 3rd–6th class
counties



In-person conference held

2-day

in-person family defense
conference



High-quality CLEs delivered

National

expert speaker series

Indigent Appellate Defense Division

New FY 2026 Appeals



89

Criminal Appeals



50

Family Defense Appeals



10

PCRA Cases

67%

of all Court of Appeals wins statewide — from just 20% of appeals filed

Grounds for reversal in 2025 included: insufficient waiver of counsel, ineffective assistance of counsel, errors regarding lack of trial testimony, denials of motions to suppress evidence, a restitution error, a judge's failure to recuse on a clear conflict, and misapplied no-bail-hold standards.

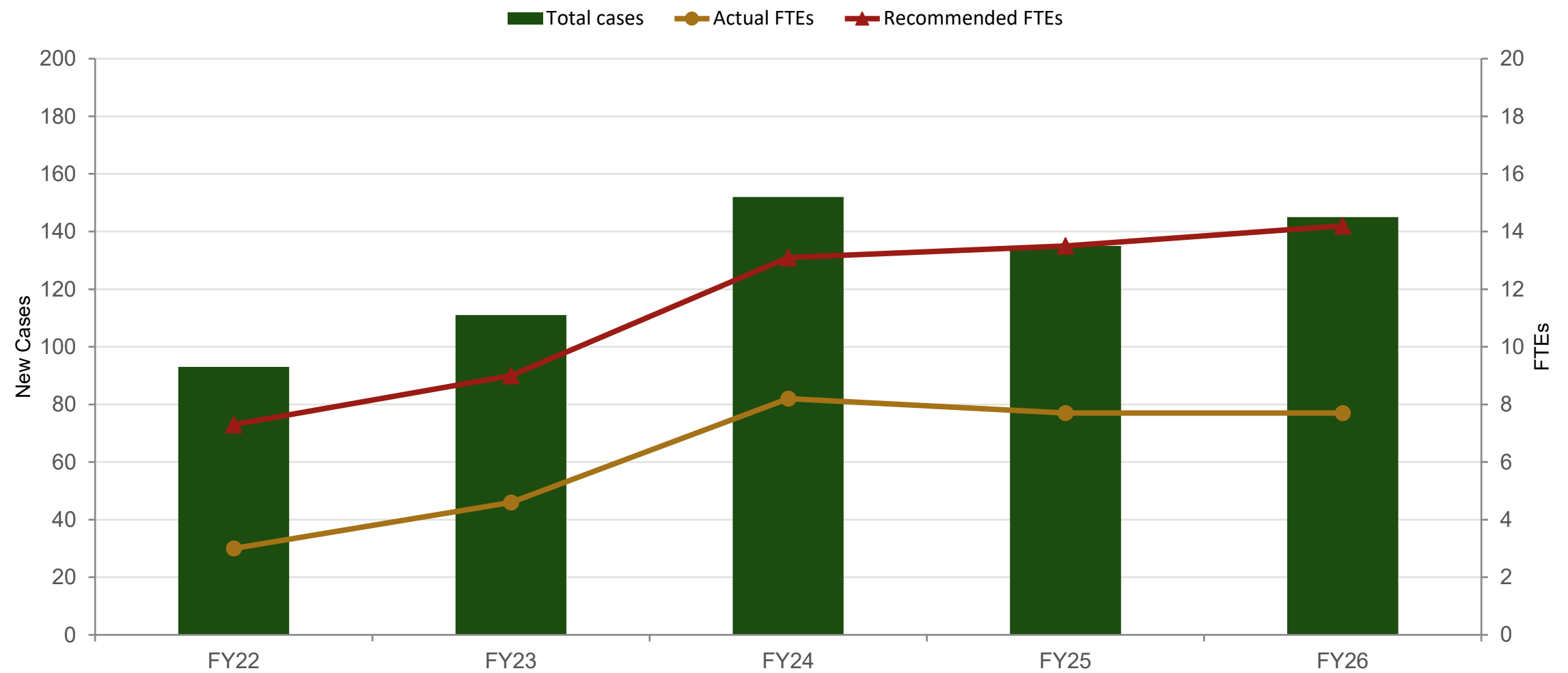


“I hear so often from clients that they didn’t even know they had the right to appeal... Without IADD, their stories would be swallowed by the system that previously told them they didn’t matter.”

— IADD Attorney

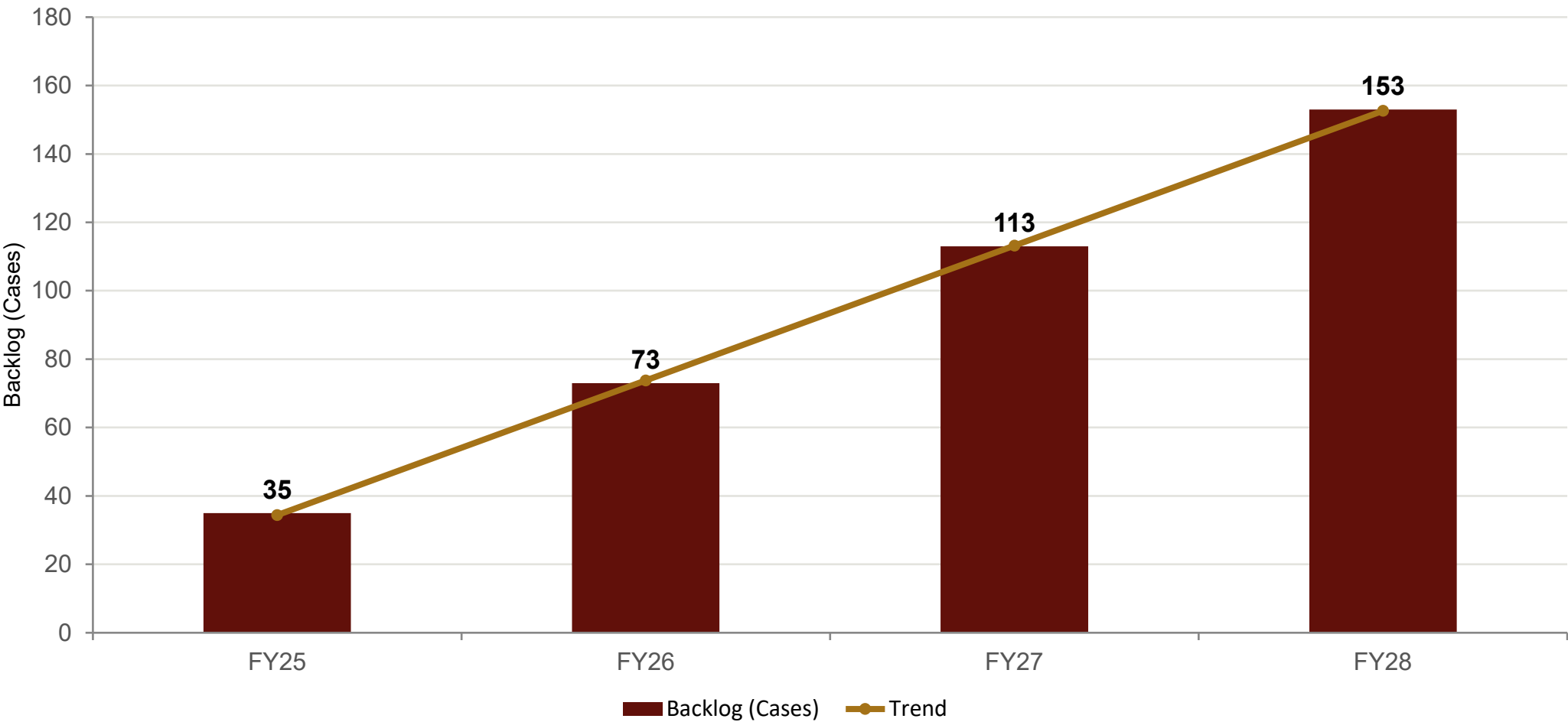
Caseloads Are Outpacing Staffing

New cases vs. actual and recommended full-time equivalent (FTE) staff, FY22–FY26



Backlog Growth Projection

Without added capacity, the case backlog is projected to grow sharply through FY28





Department of Criminal Justice

Indigent Defense Commission

Contact the IDC

idc.utah.gov

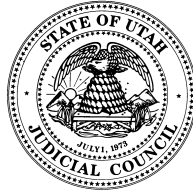
Matthew Barraza — Executive Director

mbarraza@utah.gov | 801-707-4440

Adam Trupp — Assistant Director

atrupp@utah.gov | 385-228-8238

Tab 10



Administrative Office of the Courts

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

May 28, 2026

Ronald Gordon
State Court Administrator
Neira Siaperas
Deputy Court Administrator

MEMORANDUM

TO: Shane Bahr, District Court Administrator

FROM: Tucker Samuelson, Director of Judicial Data and Research

RE: 2026 District Court Judicial Weighted Caseload

This memo communicates the 2026 District Court Judicial Weighted Caseload, as recommended by Judicial Data and Research and the Board of District Court Judges Weighted Caseload Committee, and adopted by the Board of District Court Judges.

Below are descriptions of any methodological changes that impacted this year's Weighted Caseload.

Weighted Caseload Overview

The judicial weighted caseload provides an estimate of the amount of judicial officers needed to complete overall judicial work in a 7 hour judicial day. It is one tool in the toolbox for determining judicial officer staffing allocations. The workload is measured by counting filings and events and weighting them by the time they take a judge to complete. The methodology behind the weights was approved by the District Court Board of Judges Weighted Caseload Committee.

Methodological Adjustments

The methodology for the 2026 District Weighted Caseload is largely unchanged from 2025.

Case and Event Weights

Judicial Data and Research typically aims to revise case weights every 4 years (more frequently than the National Center for State Courts recommendation of every 5-8 years), and as the most recent update was in 2023, there was no need to revise case weights in 2026.

Judicial Year

The Judicial Year was revised down by 4 hours, to account for the ½ holiday on Good Friday that was passed in the 2026 Legislative session.

**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.**

Search Warrants

Following discussions with the Justice Judicial Weighted Caseload committee in 2025, an adjustment to search warrants was made. Search warrants that were reviewed by Justice Court judges are now accounted for in the Justice Court Weighted Caseload, not the District Court one.

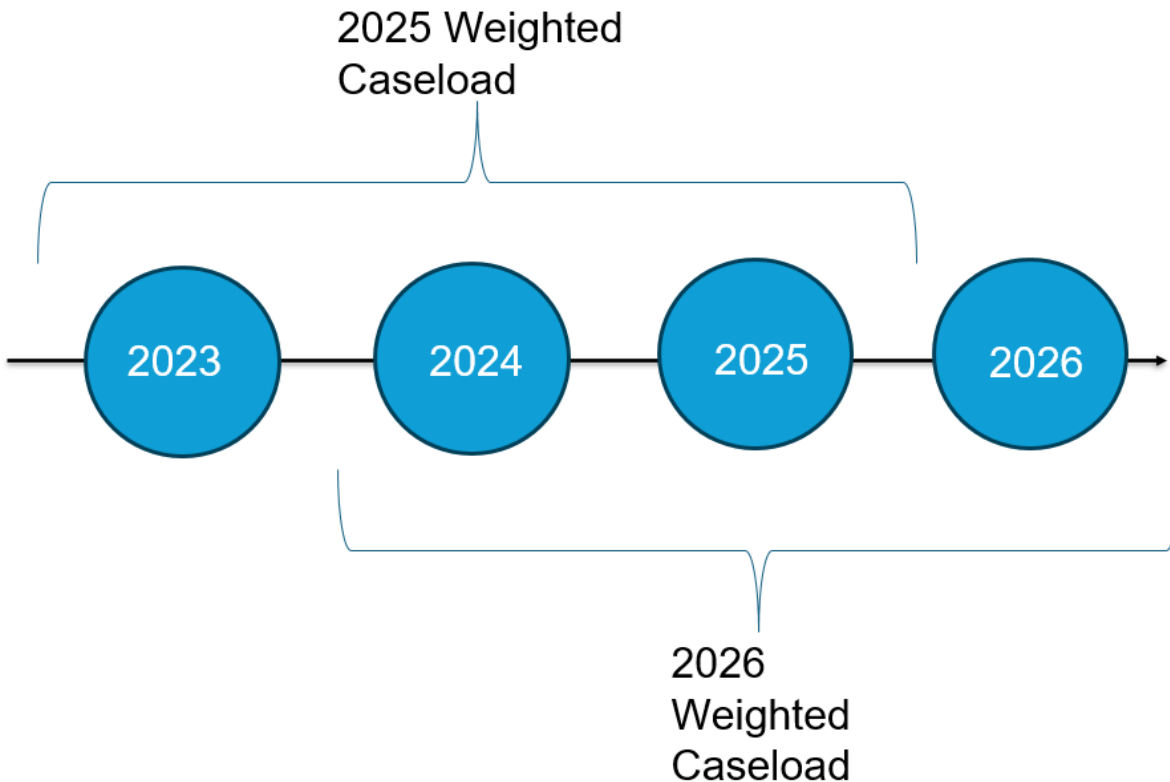
Judicial Officer Adjustments

The 2026 District Court Judicial Weighted Caseload includes 3 additional Judicial Officers – one each in Districts 3, 4, and 5.

Changes in Judicial Need

Case Filings: As the case and event weights remained unchanged from 2023, any changes in judicial need are largely attributable to fluctuations in case filings and event frequencies.

The Weighted Caseload uses a 3 year average of case filings, meaning the 2025 Weighted Caseload includes filings from April 1, 2023 to March 31, 2026.



This means that the increase or decrease in the 2026 Weighted Caseload is found by comparing filings in 2026 to filings in 2023. Below are examples of some case types that had large differences between 2026 and 2023.

Increasing from 2023 to 2026

Year	Debt Collection	Felony	Non-DUI Misdemeanor
2023	42455	15468	12310
2026	81415	21127	16430

Justice Courts slated to close

Though not accounted for in this Weighted Caseload, the District Court Weighted Caseload Committee wanted to note the workload of Justice Courts that are slated to close in the near future or recent past, where the workload is projected to be handled by the District Court subsequent to closure.

District 1: North Logan/Hyde Park - 0.19 FTE (2025 numbers)

District 3: Salt Lake County - 1.11 FTE (slated to close in 2027)

This workload is not included with each District's workload in the 2026 Weighted Caseload but may be additional workload in future years.

Future Discussion Items

The District Judicial Weighted Caseload is scheduled for a significant re-examination in 2027. The Committee and Board highlighted several issues that could be re-examined at that time, including:

Housing and Debt Division

The Housing and Debt Division, created by SB270 in 2026, will have some as-yet undetermined impact on District Court judicial work. The envisioned 2 commissioners from that bill were not added to this Weighted Caseload, as it's still unconfirmed that these positions will be created.

Three-Judge Panels

The impact of three-judge panels is likewise as-yet undetermined.

Closing Justice Courts

According to the most recent Justice Judicial Weighted Caseload, Justice Court Judges in Salt Lake County currently account for 23.84 FTEs. With the impending closure of the Salt Lake County Justice Court, any of those courts that close would have their caseload transfer to the Salt Lake District Court.

While it's not possible to project exactly what this impact will end up being, even one or two additional Justice Courts in Salt Lake County closing could have a large impact on the District Court.

Travel Time

The Board noted that the travel hours included in the Weighted Caseload have not been updated in quite a while, and were not re-examined in the most recent District Judicial Weighted Caseload revamp. They recommended making this an area to focus on in the next Weighted Caseload methodology redo.

Overall Need

The 2026 District Court Judicial Weighted Caseload shows an overall need of 103.5 judicial officers, compared to 99.8 last year. The overall gap between authorized and needed positions is 11.5.

District Court Judicial Weighted Caseload

FY26 - 3YA of Cases/Events Filed April 1, 2023-March 31, 2026

Weighted Case - Total Hours Needed (Sum of (Wghts x Cases & Events))

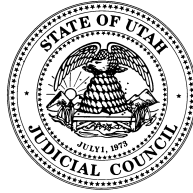
District	FY21 (3-yr)	FY23* (3-yr)	FY24 (3-yr)	FY25 (3-yr)	FY26 (3-yr)	% Change
1	6,462	7,114	7,478	7,735	7,692	-1%
2	23,963	26,559	27,115	27,862	28,610	3%
3	58,278	61,638	62,230	64,976	68,156	5%
4	23,061	24,578	25,043	26,220	28,070	7%
5	10,528	12,316	12,857	12,731	12,728	0%
6	2,978	3,461	3,530	3,320	3,137	-5%
7	3,332	3,792	3,545	3,345	3,341	0%
8	4,164	4,691	4,582	4,339	4,077	-6%
State	132,766	144,150	146,380	150,527	155,810	4%

Caseload as % of Standard (Total Hrs.Needed / Total Avail. Hrs.)

District	FY21 (3-yr)	FY23* (3-yr)	FY24 (3-yr)	FY25 (3-yr)	FY26 (3-yr)	% Change
1	93%	103%	109%	112%	112%	-1%
2	96%	106%	109%	112%	115%	3%
3	105%	112%	107%	112%	114%	2%
4	101%	108%	110%	116%	116%	0%
5	101%	118%	123%	122%	107%	-13%
6	109%	127%	130%	122%	115%	-5%
7	77%	88%	82%	78%	78%	0%
8	101%	114%	111%	105%	99%	-6%
State	101%	110%	109%	112%	113%	0%

Judicial Officers Needed (Total Hrs.Needed / Avail.Hrs. per Judicial Officer)

District	FY21 (3-yr)	FY23* (3-yr)	FY24 (3-yr)	FY25 (3-yr)	FY26 (3-yr)	Authorized Positions (Jdg & Commis)^	Difference Authorized & Needed
1	4.3	4.8	5.0	5.2	5.2	4.6	-0.6
2	15.7	17.4	17.8	18.3	18.8	16.4	-2.4
3	37.9	40.3	40.7	42.5	44.7	39.0	-5.7
4	15.2	16.3	16.6	17.3	18.6	16.0	-2.6
5	7.0	8.3	8.6	8.6	8.6	8.0	-0.6
6	2.2	2.5	2.6	2.4	2.3	2.0	-0.3
7	2.3	2.6	2.5	2.3	2.3	3.0	0.7
8	3.0	3.4	3.3	3.2	3.0	3.0	0.0
State	87.6	95.6	97.1	99.8	103.5	92.0	-11.5



Administrative Office of the Courts

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

May 21, 2026

Ronald Gordon
State Court Administrator
Neira Siaperas
Deputy Court Administrator

MEMORANDUM

TO: Daniel Meza-Rincon, Juvenile Court Administrator

FROM: Tucker Samuelson, Director of Judicial Data and Research

RE: 2026 Juvenile Court Judicial Weighted Caseload

This memo communicates the 2026 Juvenile Court Judicial Weighted Caseload, as recommended by Judicial Data and Research and the Juvenile Court Judges Weighted Caseload Committee. It was adopted at the Board of Juvenile Court Judges meeting on May 6, 2026.

Below are descriptions of any methodological changes that impacted this year's Weighted Caseload.

Weighted Caseload Overview

The judicial weighted caseload provides an estimate of the number of judicial officers needed to complete overall judicial work in a 7 hour judicial day. It is one tool in the toolbox for determining judicial officer staffing allocations. The workload is measured by counting filings and events and weighting them by the time they a judge take to complete. The methodology behind the weights was approved by the Juvenile Court Board of Judges Weighted Caseload Committee.

Methodological Adjustments

The methodology for the 2026 Juvenile Weighted Caseload is largely unchanged from 2025.

Case and Event Weights

Judicial Data and Research typically aims to revise case weights every 4 years (more frequently than the National Center for State Courts recommendation of every 5-8 years), and as the most recent update was in 2023, there was no need to revise case weights in 2025. This weighted caseload is slated for a redo in 2026.

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efficient, and independent system for the advancement of justice under the law.

Judicial Year

4 hours were removed from the Judicial Year to account for the Good Friday holiday, in accordance with the bill passed by the Utah Legislature in 2026.

Judicial Officer Adjustments

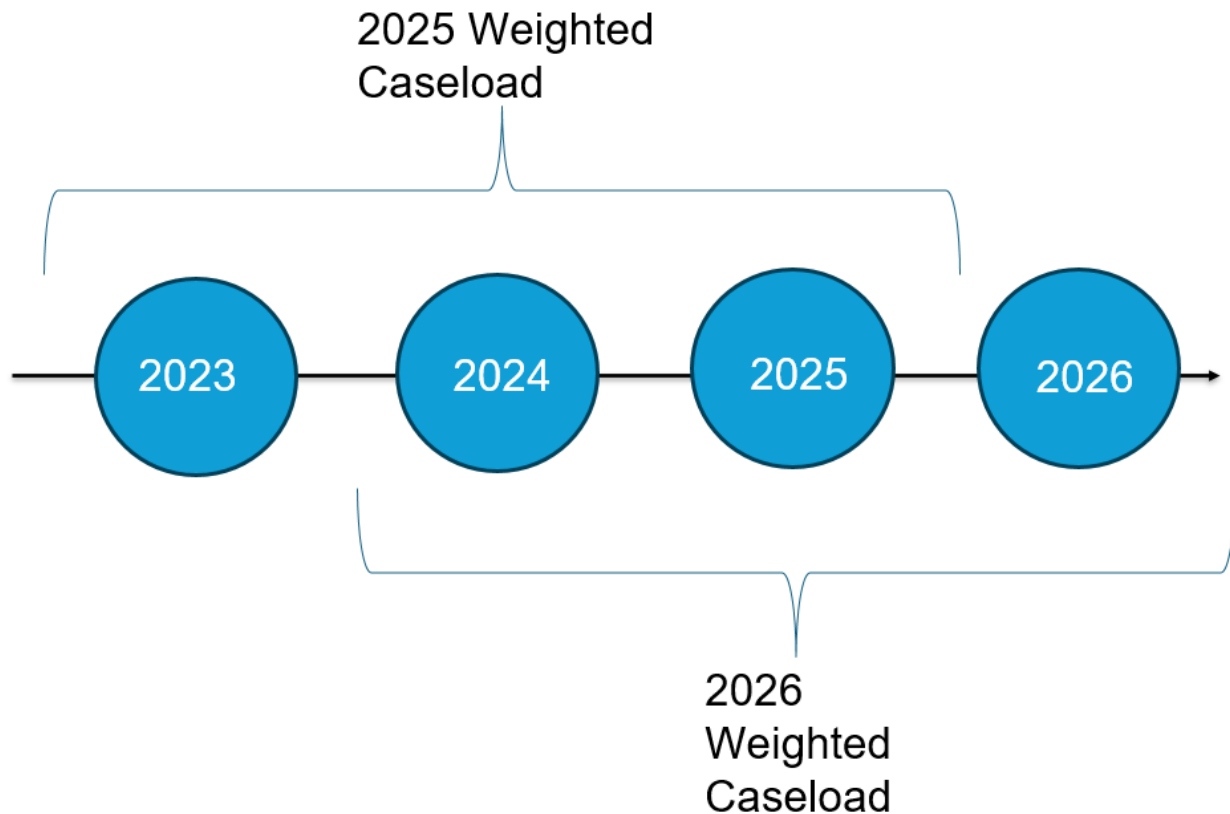
The 2026 Juvenile Court Judicial Weighted Caseload does not include any additional Judicial Officers.

Changes in Judicial Need

Case Filings

As the case and event weights remained unchanged from 2023, any changes in judicial need are entirely attributable to fluctuations in case filings and event frequencies.

The Weighted Caseload uses a 3 year average of case filings, meaning the 2026 Weighted Caseload includes filings from April 1, 2025 to March 31, 2026, and excludes filings from April 1, 2022 to March 31, 2023.



Overall Need

The 2026 Juvenile Court Judicial Weighted Caseload shows an overall need of 32.5 judicial officers, compared to 32.1 last year.

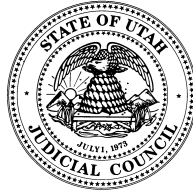
Juvenile Court Judicial Weighted Caseload

3 year average for April 1, 2023- March 31, 2026

Weighted Case - Total Hours Needed <i>(Sum of (Wghts x Refrls. & Events))</i>			
District	FY25	FY26	% Change
1	3,219	3,023	-6%
2	7,751	7,881	2%
3	14,007	14,528	4%
4	10,841	10,584	-2%
5	3,600	3,682	2%
6	2,048	2,246	10%
7	1,456	1,527	5%
8	2,042	1,859	-9%
State	44,414	44,760	1%

Caseload as % of Standard <i>(Total Hrs.Needed / Total Avail. Hrs.)</i>			
District	FY25	FY26	% Change
1	113%	107%	-6%
2	87%	89%	2%
3	104%	108%	4%
4	114%	112%	-2%
5	87%	90%	3%
6	98%	108%	10%
7	55%	58%	5%
8	82%	75%	-9%
State	96%	97%	1%

Judicial Officers Needed <i>(Total Hrs.Needed / Avail.Hrs. per Judicial Officer)</i>				
District	FY25	FY26	Authorized Positions (Jdg & Commis)	Difference Authorized & Needed
1	2.3	2.1	2.0	-0.1
2	5.2	5.3	6.0	0.7
3	9.3	9.7	9.0	-0.7
4	8.0	7.8	7.0	-0.8
5	2.6	2.7	3.0	0.3
6	2.0	2.2	2.0	-0.2
7	1.1	1.2	2.0	0.8
8	1.6	1.5	2.0	0.5
State	32.1	32.5	33.0	0.5



Administrative Office of the Courts

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

5/28/2026

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

MEMORANDUM

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

FROM: Daniel A. Meza Rincón, Juvenile Court Administrator
Shane Bahr, District Court Administrator

RE: 2026 Clerical Weighted Caseload

We are providing the attached 2026 Clerical Weighted Caseload transmittal memo from Tucker Samuelson, Director of Judicial Data and Research, for your review, along with our recommendation that it be approved.

The transmittal memo includes a table that outlines the clerical need by location, with a breakdown between District and Juvenile Court. Please note that the figures in the table do not reflect the minimum staffing adjustment. As a result, the final Weighted Caseload numbers are higher than those shown in the memo.

Ultimately, the 2026 Clerical Weighted Caseload shows an overall need of 42.08 additional clerical staff. This is an increase of 6.85 judicial assistants in comparison to the need reported in 2025. The biggest increase in need from 2025 to 2026 is that of the 3rd District, with their need increasing to 16.36 additional team members from the 5.77 reported in 2025. The number of existing staff verified by each TCE includes six FTE added in the 2026 legislative session. Please let us know if you have any questions.

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.



Administrative Office of the Courts

Chief Justice Matthew B. Durrant

May 28, 2026

Ronald Gordon

Utah Supreme Court

State Court Administrator

Chair, Utah Judicial Council

Neira Siaperas
Deputy Court Administrator

MEMORANDUM

TO: Daniel Meza-Rincon, Juvenile Court Administrator
Shane Bahr, District Court Administrator

FROM: Tucker Samuelsen, Director of Judicial Data and Research

RE: 2026 Clerical Weighted Caseload

This memo communicates the 2026 Clerical Weighted Caseload, as recommended by Judicial Data and Research, and adopted by the Clerical Weighted Caseload Committee. Below are descriptions of any methodological changes that impacted this year's Weighted Caseload.

Weighted Caseload Overview: The Clerical Weighted Caseload provides an estimate of the number of clerical staff needed to complete overall clerical workload in a standard working year. It is one tool in the toolbox for determining clerical staffing needs. The workload is measured by counting filings and events and weighting them by the time they take a judicial assistant to complete. An assessment is also made of non-case work that Clerical staff is required to perform.

The methodology behind the weights and measurements was approved by the Clerical Weighted Caseload Committee, most recently in 2023.

Methodological Adjustments: The methodology for the 2026 Clerical Weighted Caseload is mostly unchanged from 2025. The largest difference is simply the time frame, as cases and events from the prior 12 months are added, and cases from more than 3 years ago are dropped.

JA Year: The JA Year was revised down by 4 hours, to account for the ½ holiday on Good Friday that was passed in the 2026 Legislative session.

*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.*

Number of existing staff: DPRs for all Judicial Assistants were verified by each TCE.

Difference between Need and Current Staff: The 2026 Clerical Weighted Caseload retains the changes made to the 10% deviation in 2023.

This means that the Weighted Caseload will display any need for Clerical staff that is below the calculated FTE need for the district, but will only show a district as overstaffed if their current staffing is 10% above the number calculated.

Caseload as a % of Standard: In line with the Judicial Weighted Caseloads, the 2026 Clerical Weighted Caseload includes a column calculating the caseload as a percent of standard. This is intended to show relative needs around the State, and is calculated in the same way that the Judicial Weighted Caseloads are.

Overall Need: The 2026 Clerical Weighted Caseload shows an overall need of 42.08 additional clerical staff.

2026 Weighted Caseload Results

(Filings 04/1/23 thru 03/31/26 3YA)

Clerical Weighted Caseload Summary Results

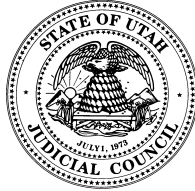
Judicial District	Updated 5/19/26 Existing FTE	FTE Need	Min. Staff Adj. rounded nearest .5	Total FTE Need	FTE Difference	Difference Between Need & Existing*	Caseload as a % of Standard
District 1	20.00	22.57	0.00	22.57	-2.57	-2.57	113%
District 2	56.50	62.99	1.50	64.49	-7.99	-7.99	114%
District 2 Juvenile	15.00	13.53	0.00	13.53	1.47	0.12	90%
District 3	130.15	145.51	1.00	146.51	-16.36	-16.36	113%
District 3 Juvenile	29.00	26.16	1.50	27.66	1.34		95%
District 4	52.00	60.95	0.50	61.45	-9.45	-9.45	118%
District 4 Juvenile	21.25	17.94	4.00	21.94	-0.69	-0.69	103%
District 5	31.75	34.28	1.00	35.28	-3.53	-3.53	111%
District 6	9.00	9.79	0.50	10.29	-1.29	-1.29	114%
District 7	12.25	10.15	1.00	11.15	1.10		91%
District 8	12.50	12.33	0.50	12.83	-0.33	-0.33	103%
	389.40	416.19	11.50	427.69	-38.29	-42.08	110%

Totals by Location

Does not include minimum staffing adjustment

LOCATION TOTALS		Dist	Juv	Total
1st Contract Site	Brigham City District	4.67	1.91	6.58
	Logan District	12.69	3.29	15.99
	Randolph District	0.24		
	Total	17.36	5.21	22.57
2nd	Bountiful District	3.25		3.25
	Farmington District	22.76	5.56	28.32
	Layton District	6.14		6.14
	Morgan District	0.72		0.72
	Ogden District	30.12	7.97	38.09
	Total	62.99	13.53	76.51
3rd	Salt Lake City District	133.86	16.47	150.33
	Silver Summit District	3.26	0.54	3.80
	Tooele District	7.47	2.16	9.63
	West Jordan District	0.92	6.99	7.91
	Total	145.51	26.16	171.67
4th Contract Site - Dist	American Fork District	6.46	3.47	9.93
	Fillmore District	4.76	0.42	0.42
	Heber City District	2.93	1.20	4.13
	Nephi District	1.70	0.26	1.97
	Provo District	43.67	10.03	53.70
	Spanish Fork District	6.20	2.55	8.75
	Total	60.95	17.94	78.90
5th	Beaver District	0.89	0.31	1.20
	Cedar City District	6.33	2.16	8.48
	St. George District	20.24	4.35	24.59
	Total	27.46	6.82	34.28
6th Contract Site Contract Site Contract Site	Kanab District	0.95	0.48	1.43
	Junction District	0.09		
	Lea District	0.14		
	Manti District	2.55	0.93	3.48
	Panguitch District	0.49		
	Richfield District	2.75	2.13	4.88
	Total	6.25	3.54	9.79
7th	Castle Dale District	1.14	0.43	1.57
	Moab District	1.69	0.45	2.14
	Monticello District	1.12	0.31	1.43
	Price District	3.60	1.41	5.01
	Total	7.55	2.60	10.15
8th Contract Site	Duchesne District	2.72	1.13	3.85
	Manila District	0.14		
	Roosevelt District	1.51	0.01	1.52
	Vernal District	4.94	2.02	6.96
	Total	9.16	3.17	12.33
Grand Total		337.23	78.97	416.19

Tab 11



Administrative Office of the Courts

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

July 17, 2026

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

MEMORANDUM

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

Proposed amendments to CJA rules 3-306.04 and 3-409 are back from a 45-day public comment period. No public comments were received. The Policy, Planning, and Technology Committee (PP&T) recommends that the rules be approved as final with a *November 1, 2026 effective date*.

CJA 3-306.04. Interpreter appointment, payment, and fees (AMEND)

The 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 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.

Rule 3-306.04. Interpreter appointment, payment, and fees.**Intent:**

To state the policy of the Utah courts to secure the rights of people under Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. in legal proceedings who are unable to understand or communicate adequately in the English language.

To outline the procedures for appointment and payment of contract interpreters for legal proceedings.

Applicability:

This rule applies to legal proceedings in courts of record and not of record.

This rule applies to interpretation for individuals with ~~—a primary language other than English and~~ limited English proficiency (LEP). This rule does not apply to interpretation for individuals with a hearing impairment, which is governed by Utah and federal statutes.

Statement of the Rule:**(1) Appointment.**

(1)(A) Except as provided in paragraphs (1)(B) and (1)(C), if the appointing authority determines that a party, witness, victim, or person who will be bound by the legal proceeding has LEP ~~has a primary language other than English and LEP~~, the appointing authority will appoint a certified or approved interpreter in all legal proceedings. A person requesting an interpreter is presumed to be a person ~~with~~ LEP. All appointments will be made using the interpreter scheduling process approved by the Council.

(1)(B) A registered interpreter may be appointed if no certified or approved interpreter is reasonably available.

(1)(C) A conditionally-approved interpreter may be appointed if the appointing authority, after evaluating the totality of the circumstances, finds that:

(1)(C)(i) the prospective interpreter has language skills, knowledge of interpreting techniques, and familiarity with interpreting sufficient to interpret the legal proceeding;

(1)(C)(ii) appointment of the prospective interpreter does not present a real or perceived conflict of interest or appearance of bias; and

(1)(C)(iii) a certified, approved, or registered interpreter is not reasonably available or the gravity of the legal proceeding and the potential consequence to the person are so minor that delays in obtaining a certified or approved interpreter are not justified.

(1)(D) **Out of state credentials.** The appointing authority may appoint an interpreter with certified or approved or equivalent credentials from another state if the appointing authority finds that the approved, registered, or conditionally approved interpreters who are reasonably available do not have the language skills, knowledge of interpreting techniques, or familiarity with interpreting sufficient to interpret the legal proceeding. The appointing authority may consider the totality of the circumstances, including the

complexity or gravity of the legal proceeding, the potential consequences to the person with LEP, and any other relevant factor.

(1)(E) **Direct verbal exchange.** No interpreter is needed for a direct verbal exchange between the person and court staff if the court staff can fluently speak the language understood by the person and the state court employee is acting within guidelines established in the Human Resources Policies and Procedures. An approved, registered, or conditionally approved interpreter may be appointed if court staff does not speak the language understood by the person.

(1)(F) **Number of interpreters.** The appointing authority will appoint one interpreter for all participants with LEP, unless the judge determines that the participants have adverse interests, or that due process, confidentiality, the length of the legal proceeding, or other circumstances require that there be additional interpreters.

(2) **Review of denial of request for interpreter.** A person whose request for an interpreter has been denied may apply for review of the denial. The application will be decided by the presiding judge. If there is no presiding judge or if the presiding judge is unavailable, the court clerk will refer the application to any judge of a court of equal jurisdiction. The application must be filed within 20 days after the denial.

(3) **Waiver.** A person may waive an interpreter if the appointing authority approves the waiver after determining that the waiver has been made knowingly and voluntarily. A person may retract a waiver and request an interpreter at any time. An interpreter is for the benefit of the court as well as for the person with ~~a primary language other than English and~~ LEP, so the appointing authority may reject a waiver.

(4) **Translation of court forms.** Forms must be translated by a team of at least two people who are interpreters certified or approved under this rule or translators accredited by the American Translators Association.

(5) **Recorded Evidence.**

(5)(A) **Sight translations.** Parties may not ask interpreters to produce on-the-spot sight translations of written documents. The court may explain to the parties why this task is inappropriate.

(5)(B) **Recorded evidence in languages other than English.** When offering a recording of a spoken language other than English, a party must offer a written transcript of the recording to aid the jury or the court in understanding the recording. Admissibility of the recording and transcript is governed by the Utah Rules of Evidence.

(5)(C) **Recorded evidence in English.** Audio and video files recorded in English that will be played in open court should be reviewed by the interpreter(s) who will be providing language services for that hearing prior to the proceeding.

(5)(D) **Emergency circumstances.** If the situation involves an emergency circumstance, the court may require a party with LEP to testify as to what is being said on the recording and have that testimony interpreted by the court interpreter for the record. If the recorded evidence is brief or not complex, the court may permit on-the-spot interpretation with the consent of the court interpreter.

(5)(E) **Duty to inform.** Court interpreters assigned to a given proceeding must inform the judge if they are unable to provide on-the-spot interpretation of audio or video recordings, or sight translations of written documents in English.

(6) **Payment.**

(6)(A) **Courts of record.** The fees and expenses for language access in courts of record will be paid by the Administrative Office. Payment of fees and expenses will be made in accordance with the Accounting Manual.

(6)(B) **Courts not of record.** The local government that funds a court not of record will set and pay the fees and expenses for interpreters in that court.

(6)(C) **Parties.** The court may assess the fees and expenses as costs to a party as otherwise provided by law (e.g., Utah Constitution, Article I, Section 12, Utah Code Sections 77-1-6, 77-18-116, 77-32b-104, 78B-1-146, Rule 54 of the Utah Rules of Civil Procedure, and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., including regulations and guidance adopted under that title).

(6)(D) **Review.** A person who has been ordered to pay fees and expenses for language access may apply to the presiding judge to review the order. If there is no presiding judge, the person may apply to any judge of a court of equal jurisdiction. The application must be filed within 20 days after the date the order was issued.

Effective: ~~5/1/2025~~ November 1, 2026

Rule 3-409. Court facilities planning.**Intent:**

~~To provide for the responsibilities of the Court Facility Planning Committee.~~

To provide for the effective planning of court capital facilities.

To promote the efficient use of new and existing courthouses through application of co-location and multi-use court facility concepts.

To establish a framework for the conceptual, planning, developmental, and implementation phases of court capital facilities.

To provide for Council review and approval of all proposed court capital facilities.

To ensure adherence to the design and space guidelines and other requirements of the Utah Judicial System Capital Facilities Masterplan ("Masterplan").

Applicability:

This rule ~~shall apply~~ applies to all court construction projects for courts of record regardless of funding source.

Statement of the Rule:

(1) **Definitions.** As used in this rule:

~~(A) "committee" means the Court Facility Planning Committee established by Rule 1-205;~~

~~(1)(AB)~~ (1)(B) **"Construction"** means capital development, alterations, renovations, and improvements;

~~(1)(BC)~~ (1)(C) **"DFCM"** means the Division of Facilities Construction and Management;

~~(1)(CD) "facility coordinator"~~ (1)(D) **"Facilities Director"** means the person designated by the state court administrator to manage the court facility department ~~to serve as staff to the committee; and~~

~~(E) "masterplan" means the Utah Judicial System Capital Facilities Masterplan.~~

(2) ~~C~~ J **Judicial council responsibilities.** Only the ~~Judicial~~ Council may approve or amend the ~~M~~ masterplan. Only the ~~Judicial~~ Council may approve a construction project. The Administrative Office ~~shall~~ will seek funding consistent with Council priorities.

(3) ~~Committee~~ Facilities Director **responsibilities.** The ~~committee~~ Facilities Director ~~shall~~ will:

(3)(A) review trends and projections in population, caseload, and other growth indicators to anticipate courthouse construction needs;

(3)(B) review the evaluations of courthouses required by this rule and recommend the prioritized placement of courthouse construction projects within the ~~M~~ masterplan;

~~(C) review recommendations from the facility coordinator on construction projects and the masterplan;~~

(3)(~~C~~~~D~~) make recommendations to the Council regarding the reordering of Mmasterplan priorities and amendments to design and space guidelines;

(3)(~~D~~~~E~~) compare construction requests with the design and space guidelines of the Mmasterplan to ensure the current and anticipated needs of the court are met; and

~~(F) develop a timetable for construction requests so that the committee presents its recommendations to the Council in advance of the Annual Planning Workshop;~~

(3)(~~F~~~~G~~) make recommendations to the Council for the approval, modification, or disapproval of construction requests; and

~~(H) develop procedures for the delegation of committee responsibilities to the facility coordinator.~~

(4) Masterplan.

(4)(A) There ~~shall~~ will be a facilities Mmasterplan which ~~shall~~ will include design and space guidelines, workload forecasts, and a capital facility priority list. This Code and the Mmasterplan will control all capital facility projects, including those implemented on behalf of the judiciary by DFCM and local governments. Exceptions to court design and space guidelines require approval of the ~~committee and notice to the~~ Council, ~~which may overrule the committee.~~

(4)(B) The ~~facility coordinator~~ Facilities Director ~~shall~~ will prepare a periodic report evaluating courthouse compliance with the Mmasterplan. To prepare the report, the ~~facility coordinator~~ Facilities Director may use contract services. The report should assess each courthouse at least once every five years. The report should include an assessment of compliance with design and space guidelines and placement of the courthouse within the Mmasterplan. ~~Committee recommendations~~ Recommendations concerning any amendment of the Mmasterplan ~~shall~~ will be made to the Judicial Council at ~~the an a~~ Annual Planning Workshop Facilities p Planning u Update before publishing any changes. ~~The Judicial Council shall republish the masterplan annually after the workshop.~~

(5) **Construction requests.** The Ccourt Executive ~~shall~~ will submit construction project requests to the ~~facility coordinator~~ Facilities Director as part of the annual budget process. The ~~facility coordinator~~ Facilities Director ~~shall~~ will prepare analyses and recommendations ~~to the committee~~ regarding:

(5)(A) comparison of the request with the Mmasterplan, including compliance with design and space guidelines and priority within the Mmasterplan;

(5)(B) the cost of the programming, design, and construction phases of the project; and

(5)(C) the fiscal years during which those costs will be expended; and

~~(D) recommendations of the committee to the Judicial Council in advance of the Annual Planning Workshop. A copy of the committee recommendations shall be provided to the affected Boards of Judges.~~

(6) **Construction projects.** Construction projects approved by the Council and the Legislature ~~will~~ shall be directed by a project design team chaired by the ~~facility coordinator~~ Facilities Director. The team ~~shall~~ will include the Court Executive, appropriate court staff ~~from the 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~~ November 1, 2026*

Tab 12

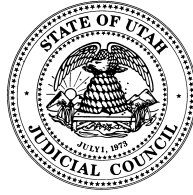
COURT COMMISSIONER CONDUCT COMMITTEE

Complaints and Disposition (PUBLIC)

Calendar Year	Total Complaints	Number of Commissioners Receiving Complaints	Complaints Resolved by Chair Dismissal	Complaints Resolved by Committee Dismissal	Hearings Held	Sanctions Entered
2020	8	5	6	1	1	1
2021	5	4	4	0	1	1
2022	12	5	12	0	0	0
2023	9	6	9	0	0	0
2024	17	8	17	0	0	0
2025	22	9	22	0	0	0
2026 (to date)	3*	2	1	0	0	0
7 Year total	76	39	71	1	2	2

***2 complaints were submitted in July 2026 that are pending**

Tab 13



Administrative Office of the Courts

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

July 6, 2026

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

MEMORANDUM

TO: Management Committee of the Judicial Council

FROM: Shane Bahr, District Court Administrator

RE: Commissioner Recertification

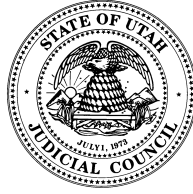
The court commissioner evaluation and retention processes are governed by the following Utah Code of Judicial Administration rules:

- [Rule 3-111](#): governs court commissioner performance evaluations.
- [Rule 3-201](#): governs the retention of court commissioners.

Commissioner Maran Ito's four-year term will expire December 31, 2026. It is the Judicial Council's responsibility to certify whether the Commissioner Ito meets the standard of performance as provided in Rule 3-111.

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efficient, and independent system for the advancement of justice under the law.

Tab 14



Administrative Office of the Courts

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

June 23, 2026

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

MEMORANDUM

TO: Members of the Judicial Council

FROM: Board of Juvenile Court Judges

RE: Nominations for the Guardian ad Litem (GAL) Oversight Committee

The Board of Juvenile Court Judges recently met to determine recommendations for appointment to the Guardian ad Litem (GAL) Oversight Committee. We are pleased to formally submit our recommendations to the Judicial Council for your final review and appointment.

Selection Process

The Board reviewed a robust pool of 24 applications from highly qualified individuals across the state. The Board carefully and thoroughly evaluated each applicant's background, professional qualifications, and dedication to the child welfare system. Following an exhaustive review of the materials and subsequent deliberation, the Board voted unanimously on the seven selections detailed below.

Formal Recommendations

The Board recommends the following individuals to represent their respective categories on the oversight committee:

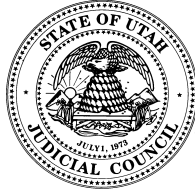
- **Juvenile Court Judge:** Michelle E. Heward
- **Attorney with Experience Representing Parents in Child Welfare:** Kendra Seeley
- **Attorney with Experience Representing DCFS:** Christine Henneman
- **Mental Health Clinical Worker:** Jennifer Mitchell
- **Advocate for Youth in Foster Care:** Kristin Fadel
- **Parent with Lived Experience:** Molly DeVera
- **Child with Lived Experience:** Natalie Clark

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.

We are confident that these nominees possess the unique perspectives, professional expertise, and lived experiences necessary to serve the committee with distinction. We respectfully request that the Judicial Council review and finalize these appointments during its upcoming session.

Please let us know if you require any additional supporting documentation or information regarding the nominated candidates.

Tab 15



Administrative Office of the Courts

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

July 17, 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 the following rules be approved for a 45-public comment period:

CJA 1-205. Standing and ad hoc committees (AMEND)

The proposed amendments remove the adult educator from higher education member position from the Standing Education Committee.

CJA 1-302. Board of Judges Membership – Officers – Secretariat (AMEND)

The proposed amendments move the Board of Justice Court Judges' election cycle to the annual judicial conference to coincide with current practice.

CJA 9-101. Board of Justice Court Judges (AMEND)

The proposed amendments add the Chair of the Justice Court Judges' Education Committee as a non-voting member of the Board and clarify that the person filling this position and the person sitting on the Judicial Council Education Committee are the same person.

CJA 9-110. Implementation of Internal Control for Self-Assessment Recommendations [for Justice Courts] (NEW)

The proposed rule outlines the process for implementing the recommendations from an Internal Control Self-Assessment conducted by the AOC's audit department.

CJA 3-407. Accounting (AMEND)

The proposed amendments: 1) expand the accounting manual to incorporate justice courts; 2) adjust the committee's membership structure to conform with current committee membership; 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.

CJA 4-601. Failure to appear – Notice to Surety (NEW)

The proposed rule establishes a procedure for providing notice to sureties when a defendant fails to appear in criminal cases in district and justice courts.

CJA 4-202.02. Records classification (AMEND)

The proposed amendments: 1) classify the names of minors on child protective orders as public in response to [House Bill 540](#), and 2) classify all motions, supporting materials, and records of hearings involving the admissibility of evidence of a victim's sexual behavior as protected records.

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

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

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

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

Applicability:

This rule applies to the internal operation of the Council.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1)(A)(xiii) 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; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1)(B)(iii)(g) the Human Resources Director;

(1)(B)(iii)(h) one court executive;

(1)(B)(iii)(i) one juvenile court probation representative;

(1)(B)(iii)(j) two court clerks from different levels of court and different judicial districts;

(1)(B)(iii)(k) one data processing manager; and

~~(1)(B)(iii)(l) one adult educator from higher education.~~

(1)(B)(iii)(~~l~~^m) The Human Resources Director ~~and the adult educator~~ will serve as a non-voting members. The court level administrator and the Human Resources Director will serve as permanent Committee members.

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

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

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

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

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

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

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

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

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

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

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

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

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

(1)(B)(iv)(m) one court commissioner;

(1)(B)(iv)(n) two district court judges; and

(1)(B)(iv)(o) two juvenile court judges.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1)(B)(vii)(a) seven members appointed by the Council, including:

(1)(B)(vii)(a)(i) a current or former juvenile court judge;

(1)(B)(vii)(a)(ii) an attorney with experience representing parents in child welfare cases;

(1)(B)(vii)(a)(iii) an attorney with experience representing the Division of Child and Family Services in child welfare cases;

(1)(B)(vii)(a)(iv) a behavioral or mental health clinical provider with experience working with families involved in child welfare cases;

(1)(B)(vii)(a)(v) an individual with experience working with or advocating for youth in foster care;

(1)(B)(vii)(a)(vi) an individual with lived experience as a parent involved with the child welfare system; and

(1)(B)(vii)(a)(vii) an individual with lived experience as a child or youth involved with the child welfare system;

(1)(B)(vii)(b) two members appointed by the Administrative Office, including:

(1)(B)(vii)(b)(i) a current or former court administrator; and

(1)(B)(vii)(b)(ii) a current internal court auditor;

(1)(B)(vii)(c) a member of the Senate, whom the president of the Senate appoints;

(1)(B)(vii)(d) a member of the House of Representatives, whom the speaker of the House of Representatives appoints; and

(1)(B)(vii)(e) the guardian ad litem director or the director's designee. (1)(B)(viii) The **Committee on Model Utah Civil Jury Instructions** performs the duties described in Rule 3-418 and will consist of:

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

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

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

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

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

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

(1)(B)(ix)(b) one justice court judge;

(1)(B)(ix)(c) four prosecutors;

(1)(B)(ix)(d) four defense counsel; and

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

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

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

(1)(B)(x)(b) one court commissioner;

(1)(B)(x)(c) one juvenile court judge;

(1)(B)(x)(d) one justice court judge;

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

(1)(B)(x)(f) one appellate court staff attorney;

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

(1)(B)(x)(h) the State Law Librarian;

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

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

(1)(B)(x)(k) one paralegal;

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

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

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

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

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

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

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

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

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

(1)(B)(xi)(d) one appellate court judge;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1)(B)(xii)(b)(vi) one representative from Office of the Attorney General;

(1)(B)(xii)(b)(vii) one representative from the Utah legislature;

(1)(B)(xii)(b)(viii) one representative from the Utah Commission on Aging;

(1)(B)(xii)(b)(ix) one representative from Utah Legal Services; and

(1)(B)(xii)(b)(x) the Long-Term Care Ombudsman or designee.

(1)(B)(xii)(c) **Individual community** representatives. Three or more community stakeholders representing:

(1)(B)(xii)(c)(i) mental health community;

(1)(B)(xii)(c)(ii) medical community;

(1)(B)(xii)(c)(iii) private legal community that specializes in guardianship matters;

(1)(B)(xii)(c)(iv) aging-adult services community;

(1)(B)(xii)(c)(v) educator from a legal program or law school;

(1)(B)(xii)(c)(vi) organization serving low-income, minorities, or marginalized communities;

(1)(B)(xii)(c)(vii) citizens under or involved in guardianship; and

(1)(B)(xii)(c)(viii) other organizations with a focus including, but not limited to guardianship, aging, legal services, or disability.

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

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

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

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

(1)(B)(xiii)(d) one appellate court judge;

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

(1)(B)(xiii)(f) one tribal court judge;

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

(1)(B)(xiii)(h) the Tribal Liaison;

(1)(B)(xiii)(i) one trial court executive;

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

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

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

(1)(B)(xiii)(m) one representative from the Indigent Defense Commission; and

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

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

(1)(D) **Committee performance review.** This subsection (1)(D) does not apply to the Guardian ad Litem Oversight Committee.

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

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

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

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

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

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

(1)(E) **Guardian ad Litem Oversight Committee.** The Guardian ad Litem Oversight Committee will meet at least quarterly and will not be dissolved. Meetings will be conducted in accordance with Utah Code section 78A-2-104.5(6). On or before November 1st of each year, the committee will provide an annual report to the Council regarding the committee's activities, findings, and recommendations.

(2) **Ad hoc committees.** The Council may form ad hoc committees or task forces to consider topical issues outside the scope of the standing committees and to recommend rules or

resolutions concerning such issues. The Council may set and extend a date for the termination of any ad hoc committee. The Council may invite non-Council members to participate and vote on ad hoc committees. Ad hoc committees will keep the Council informed of their activities. Ad hoc committees may form sub-committees as they deem advisable. Ad hoc committees will disband upon issuing a final report or recommendation(s) to the Council, upon expiration of the time set for termination, or upon the order of the Council.

(3) General provisions.

(3)(A) Appointment process.

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

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

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

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

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

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

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

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

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

Effective: ~~May 19, 2026~~November 1, 2026

Rule 1-302. Boards of Judges Membership, Officers, and Secretariat.

Intent:

To delegate the authority for the election of members and leaders of the various Boards to the Boards themselves or to the judges of the respective courts.

To minimize the costs of organization and administration of the Boards by coordinating the election of members of all Boards.

Applicability:

This rule ~~shall~~ applies to all Boards ~~of Judges~~, except the Board of Senior Judges.

Statement of the Rule:

(1) **Term – Election.** The judges of the respective courts shall determine an appropriate term of office for the members of their Board. Election s will ~~to the Board of a court of record shall~~ take place at the annual judicial conference. ~~Election to the Board of Justice Court Judges shall take place at the annual spring training conference.~~ After an election or upon any change in membership, each Board ~~shall~~ must certify to the Council the names of its members.

(2) **Membership.** Judicial Council members may not serve as voting members of a trial court Board ~~of Judges of a trial court~~.

(3) **Chair – Officers.** Each Board ~~must~~ shall ~~establish the position of~~ elect a Board chair ~~of the Board~~ and other positions of leadership as the Board deems appropriate. Each Board ~~shall~~ will establish the term and manner of election to such offices. Each Board ~~shall~~ must certify to the Council the names of the chair and other officers of the Board.

(4) **Secretariat.** The Administrative Office ~~shall~~ will serve as secretariat to the Boards.

(5) **Expenses.** Members of the Boards may receive reimbursement for actual and necessary expenses incurred in the execution of their duties as members.

Effective: ~~May 1, 2023~~ November 1, 2026

Rule 9-101. Board of Justice Court Judges.**Intent:**

To prescribe the membership, method of selection, term of office, and basic procedures of the Board.

Applicability:

This rule ~~shall apply~~ applies to the Board of Justice Court Judges.

Statement of the Rule:

(1) **Establishment – Membership.** The ~~re is hereby established a~~ Board ~~of Justice Court Judges~~ will be comprised of ~~the~~ chair, six at-large members, ~~and the~~ three non-voting Council representatives, and the Chair of the Justice Court Judges' Education Committee (JCEC).

(2) **Election.** Members of the Board ~~shall~~ will be elected by the justice court judges in connection with the justice court ~~business~~ bench meeting at the annual judicial conference. For all elections contemplated by this rule, judges may vote in person or remotely.

(3) **Term.** The chair and the at-large members ~~shall~~ will serve staggered two-year terms. The Council representatives ~~shall~~ will serve during ~~the length of~~ their term ~~on the~~ Council representatives. The term of the JCEC chair will overlap with his or her service on the Judicial Council Education Committee created in Rule 3-403.

(4) **Chair, ~~and Vice~~ cChair, and JCEC chair.**

(4)(A) **Chair.** The chair ~~shall~~ will preside over all meetings of the Board and over the ~~J~~Justice ~~c~~Court judges' training conferences. The chair may not simultaneously serve as a Council representative.

(4)(B) **Vice-chair.** Members of the Board ~~shall~~ will elect a vice-chair ~~and an education liaison~~. The vice-chair ~~shall~~ will serve as chair in the absence of the chair or upon request of the chair. ~~Neither t~~The vice-chair ~~nor the education liaison~~ may not simultaneously serve as a Council representative.

(4)(C) JCEC. Members of the Board will elect a justice court judge to chair the JCEC. The JCEC chair may simultaneously serve as an at-large member of the Board, but may not simultaneously serve as a Council representative. The JCEC chair will serve as the justice court representative on the Judicial Branch Education Committee.

(5) **Executive Committee.** There ~~shall~~ will be an Executive Committee of the Board comprised of the chair, vice-chair, and one of the Council representatives designated by the chair. The Executive Committee may take necessary action on behalf of the Board between Board meetings.

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47 (6) **Vacancies.** If vacancies occur for any reason ~~on the Board~~ between elections, the Board
48 ~~shall~~will elect a replacement for the unexpired term of the vacancy.

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50 (6)(A) **Vacancy in the office of chair.** Should the chair resign or leave the Board for any
51 reason, the vice-chair ~~shall~~will become chair for the remainder of the term.

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53 (6)(B) **Vacancy in the office of vice chair.** Should the vice-chair of the Board resign or
54 leave the Board for any reason, a new vice-chair ~~shall~~will be elected by the Board from
55 among its members to serve the unexpired term of the vice-chair.

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57 (6)(~~B~~C) **Vacancy – Council representative.** If a vacancy occurs for any reason among
58 the representatives ~~of~~to the Council, the Board ~~shall~~will designate an interim
59 representative to serve until the next annual training conference, at which time a
60 representative ~~shall~~will be elected to fill the unexpired term.

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62 (6)(D) Vacancy – Chair of the JCEC. Should the chair of the JCEC resign or leave the
63 Board for any reason, a new committee chair will be elected by the Board.

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65 (7) **Meetings of the Board.** The Board ~~shall~~will meet at least quarterly to transact any and all
66 business ~~that is~~ within its jurisdiction. The Board ~~shall~~will rule by majority vote. All members,
67 except the three Council representatives, are voting members. The chair of the JCEC may vote
68 only if he or she is also serving as an at-large member of the Board. Four voting members of the
69 Board constitute a quorum. Board meetings ~~shall~~will be conducted in an orderly and
70 professional manner and in accordance with this Code.

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72 (8) **Certifications.** The Board ~~shall~~will be responsible for certifying new justice courts and
73 recertifying existing justice courts to the Judicial Council ~~as outlined in~~in accordance with Rule
74 9-108.

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76 *Effective: ~~May 1, 2022~~November 1, 2026*

Rule 9-110. Implementation of Internal Control Self-Assessment recommendations for justice courts.

Intent:

This rule establishes procedures and timelines for the implementation of recommendations arising from an Internal Control Self-Assessment conducted by the Audit Department ("ICSA") in justice courts. The rule is intended to promote timely compliance with applicable laws, policies, and internal control standards, and to strengthen financial and administrative practices in justice courts.

Applicability:

This rule applies to all justice courts that complete an ICSA administered by the Audit Department.

Statement of the Rule:

(1) Definitions.

(1)(A) "Exit conference" means the meeting held between the Audit Department and the justice court upon completion of an ICSA to review findings and recommendations.

(1)(B) "Recommendations" means actions identified in an ICSA report needed to improve court operations.

(2) Implementation requirement. Justice courts will implement all recommendations identified in its most recent ICSA within one year of the exit conference, unless otherwise approved by the Audit Department or the Management Committee for good cause shown.

(3) Required review process. Following completion of an ICSA, the following review process will apply:

(3)(A) Exit conference. Before issuing the final ICSA summary, the judge and court staff will participate in an exit conference with the Audit Department. The purpose of the exit conference is to review findings, clarify recommendations, and ensure understanding of required corrective actions.

(3)(B) Six-month follow-up. Approximately six months after the exit conference, the judge and court staff will meet with the Audit Department to review the status of implementation.

(3)(B)(i) If the Audit Department determines that no further action is required to implement the recommendations, it will issue a letter of compliance to the justice court.

(3)(B)(ii) If the Audit Department determines that additional action is required to implement the recommendations, the court will develop a written plan, in consultation with the Audit Department, to achieve full implementation within 90 days. The plan will be provided to the Board of Justice Court Judges.

(3)(C) **Nine-month review.** If recommendations have not been fully implemented nine months following the exit conference, the judge and court staff will provide a written report to the Board that details barriers to implementation and proposes appropriate next steps to achieve compliance. The judge may be invited to a Board meeting to discuss the report.

(3)(D) **One-year review.** If recommendations have not been fully implemented within one year after the exit conference, the judge and court staff will meet with the Management Committee, with participation from the Audit Director and the Court Level Administrator.

(3)(D)(i) The Management Committee may review the court's compliance status and implementation efforts.

(3)(D)(ii) The Management Committee may consider appropriate actions, including continued monitoring, additional support measures, or referral for decertification proceedings as provided by applicable rules.

(4) Responsibilities.

(4)(A) **Justice court judge and staff.** The judge and court staff are responsible for timely implementation of all ICSA recommendations and participation in all required meetings under this rule.

(4)(B) **Audit Department.** The Audit Department will conduct ICSAs, facilitate exit conferences, provide guidance on implementation, monitor progress, and issue letters of compliance once all recommendations have been implemented.

(4)(C) **Board of Justice Court Judges.** The Board will provide oversight and support at the nine-month review stage to assist courts in achieving compliance.

(4)(D) **Management Committee.** The Management Committee will review courts that have not achieved compliance within one year and determine appropriate next steps.

(5) Effective date. This rule applies to all ICSAs completed on or after November 1, 2026.

Effective: November 1, 2026

Rule 3-407. Accounting.**Intent:**

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

Applicability:

This rule applies to the judiciary.

Statement of the Rule:**(1) Manual of procedures.**

(1)(A) **Manual of procedures.** The Administrative Office ~~will~~must develop a manual of procedures ~~(Utah Judiciary Accounting Manual) to govern.~~ The manual governing all accounting matters, including accounts receivable, accounts payable, trust accounts, cash receipts, disbursements, separation of duties, and all relevant procedures needed to comply with generally accepted accounting principles (GAAP) and generally accepted auditing standards (GAAS) (“Accounting Manual”). The ~~Utah Judiciary~~ Accounting Manual ~~will~~ applyapplies to personnel in Courts of Record and Courts not of Record, ~~and will, at~~ At a minimum, the manual must conform to the requirements of this Code and state law. Unless otherwise directed by the Council, the Budget and Fiscal Management Committee (“BFMC”) must approve the ~~Utah Judiciary~~ Accounting Manual ~~will be approved by a majority vote of the Budget and Fiscal Management Committee.~~

(1)(B) **Utah Judiciary Accounting Manual Review Committee.** The Utah Judiciary Accounting Manual Review Committee (“Accounting Committee”) ~~responsible for making proposes, repeals, and reviewing proposals to promulgate, repeal, and amend~~amends accounting policies and procedures. The Accounting Committee ~~will~~ consistconsists of the following members:

(1)(B)(i) the Finance Director, who ~~will serve~~serves as chair;

(1)(B)(ii) four support services coordinators;

(1)(B)(iii) two accountants or ~~clerks~~court employees with accounting responsibilities from ~~each of the trial Courts of Record~~a district court, two accountants or court employees with accounting responsibilities from a juvenile court, one accountant from the Business and Chancery Court, and one court employee with accounting responsibilities from an appellate court;

(1)(B)(iv) a Court Executive;

(1)(B)(v) a Court Clerk;

(1)(B)(vi) ~~a clerk with accounting responsibilities from an appellate court;~~

~~(1)(B)(vii)~~ two members of the Justice Court Judges’ Education Committee (“JCEC”);

(1)(B)(~~viii~~vii) the audit director or designee; and

(1)(B)(~~ix~~) ~~the director of the~~viii the Utah Division of Finance Director or ~~designee~~other independent person with similar experience.

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

(1)(D) **Terms and voting.** Accounting Committee members not designated by office will serve three-year terms. ~~Additional terms must be approved by the~~ The state court administrator SCA, or designee, must approve additional terms. The ~~F~~finance ~~D~~director ~~will vote~~ votes only ~~in the event of a~~ if there is a tie. The ~~A~~audit ~~D~~director or designee and the ~~director of the~~ Utah Division of Finance Director or other individual filling the independent person position are nonvoting members.

(1)(E) **Trial Court Executives and court Court Clerks.** ~~New Trial Court Executives, Court Clerks of Court of all Courts of Record, and the JCEC, must review and approve~~ new and amended policies and procedures recommended by a majority ~~vote~~ of the Accounting Committee ~~will be reviewed and approved by the Court Executives and court clerks of all Courts of Record and the JCEC.~~ Trialhe Court Executives, court clerksCourt Clerks, and the JCEC may endorse or amend the draft policies and procedures or return them to the Accounting Committee for further consideration.

Once approved by the Trial Court Executives, ~~court clerks~~Court Clerks, and ~~the~~ JCEC, the Finance Director must submit the new and amended policies and procedures ~~will be submitted~~ to the ~~Budget and Fiscal Management Committee~~BFMC for approval.

(2) Revenue accounts.

(2)(A) **Deposits, transfers, and withdrawals.** ~~All courts~~Every court will ~~make deposits~~deposit funds with a depository deemed qualified by the Administrative Office, with the Utah State Treasurer, or with the ~~treasurer of the~~ appropriate local government ~~entity~~entity's treasurer. The Supreme Court, Court of Appeals, State Law Library, Administrative Office, district court primary locations, and juvenile courts will deposit every business day whenever practicable, but at least once every three business days. The deposit ~~will consist~~consists of all court collections. District court contract sites and justice courts having funds due to the state or any political subdivision of the state will, on or before the ~~10th~~tenth day of each month, remit all funds received in the preceding month to the appropriate public treasurer. ~~The courts will make no withdrawals~~A court may not withdraw funds from a depository ~~accounts~~account.

(2)(B) **Periodic revenue report.** Under the Trial Court Executive's supervision, the Court Clerk~~of the Court Executive, the court clerk~~ or designee will prepare and submit a revenue report ~~that~~ The report identifies the amount and source of the funds received during the reporting period and the state or local government entity entitled to the funds.

(2)(B)(i) Juvenile ~~courts~~ and district court primary locations ~~of the district courts~~ will submit the report weekly to the Administrative Office.

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

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

(2)(C) **Monthly reconciliation of bank statements.** The Administrative Office will reconcile the revenue account upon receipt of the monthly bank statements and weekly revenue reports from the district and juvenile courts. The ~~justice-Court Level~~ Administrator for justice courts, or designee will reconcile the monthly bank statements for justice courts with a revenue bank account. For all other justice courts, the local government ~~will~~ must reconcile the bank statements to the general ledger.

(3) Trust accounts.

(3)(A) **Definition.** ~~A "Trust Account"s are accounts~~ A "Trust Account" is an account established by ~~the courts~~ a court for the benefit of third parties. Examples of funds ~~which are~~ held in ~~a Trust accounts~~ a Trust Account include restitution, attorney fees, and monetary bail amounts.

(3)(B) **Accounts required; duties of a fiduciary.** District ~~and juvenile~~ court primary locations ~~and juvenile courts~~ will maintain a ~~Trust Account~~ Trust Account in which to deposit monies held in trust for the benefit of the trustor or some other beneficiary. Under the ~~Trial Court Executive's~~ Trial Court Executive's supervision, ~~the Court Clerk of the Court Executive, the court clerk will be~~ the Court Clerk of the Court Executive, the court clerk will be the custodian of the account and ~~will have~~ has the duties of a trustee as established by law. ~~All Courts not of Record~~ Justice courts may maintain a ~~Trust Account~~ Trust Account in accordance with ~~this rule, provisions of this rule. Justice courts may deposit~~ which includes depositing monies held in trust ~~funds into a trust bank account maintained by the justice court and the Court Clerk is the custodian of the account. A justice court may also deposit trust funds~~ through the local government into a revenue or trust bank account. Justice courts may also deposit trust funds directly into a trust bank account maintained by the court.

(3)(C) **Monthly reconciliation of bank statements.** Each court will reconcile its ledgers upon receipt of the monthly bank statement.

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

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

(3)(D) **Accounting to trustor.** ~~Courts~~ A court will establish a method of accounting that ~~will trace~~ traces the debits and credits attributable to each trustor.

(3)(E) **Monetary bail forfeitures and other withdrawals.** ~~Transfers~~ A transfer from ~~a Trust accounts~~ a Trust Account to a revenue account may be made ~~upon an~~ on a court order of ~~forfeiture of~~ forfeiture monetary bail ~~forfeiture~~ or other ~~court order of the court.~~ court order of the court. Other withdrawals from ~~a Trust accounts~~ a Trust Account will be made ~~upon the~~ on a court order ~~of the court~~ after a finding of entitlement.

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

Effective: ~~11/1/2025~~ November 1, 2026

Rule 4-601. Failure to appear – Notice to surety.

Intent:

To establish a procedure for providing notice to sureties when a defendant fails to appear.

Applicability:

This rule applies to criminal cases in district and justice courts.

Statement of the Rule:

(1) When a bail bond is issued by a surety or bail bond agency, the bond must include the name, address, business email address, and telephone number ("Contact Information") of the surety or the surety's agent. If applicable, the bond must also include Contact Information for the bail bond agency.

(2) The Contact Information on the bond must be the same as the email address on file with the court. The surety or surety's agent have a continuing obligation to notify the Court Clerk of any changes to its Contact Information.

Effective: November 1, 2026

Rule 4-202.02. Records Classification.

Intent:

To classify court records as public or non-public.

Applicability:

This rule applies to the judicial branch.

Statement of the Rule:

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

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

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

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

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

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

(2)(E) audit reports;

(2)(F) case files;

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

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

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

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

(2)(K) financial records;

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

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

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

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

(2)(L)(iv) case number;

(2)(L)(v) case status;

(2)(L)(vi) civil case type or criminal violation;

(2)(L)(vii) civil judgment or criminal disposition;

(2)(L)(viii) daily calendar;

(2)(L)(ix) file date;

(2)(L)(x) party name;

(2)(M) name, business address, business telephone number, and business email address of an adult person or business entity other than a party or a victim or witness of a crime;

(2)(N) name, address, telephone number, email address, date of birth, and last four digits of the following: driver's license number; social security number; or account number of a party;

(2)(O) name, business address, business telephone number, and business email address of a lawyer or licensed paralegal practitioner appearing in a case;

(2)(P) name, business address, business telephone number, and business email address of court personnel other than judges;

(2)(Q) name, business address, and business telephone number of judges;

(2)(R) name, gender, gross salary and benefits, job title and description, number of hours worked per pay period, dates of employment, and relevant qualifications of a current or former court personnel;

(2)(S) unless classified by the judge as private or safeguarded to protect the personal safety of the juror or the juror's family, the name of a juror empaneled to try a case, but only 10 days after the jury is discharged;

(2)(T) opinions, including concurring and dissenting opinions, and orders entered in open hearings;

(2)(U) order or decision classifying a record as non-public;

(2)(V) private record if the subject of the record has given written permission to make the record public;

(2)(W) publications of the Administrative Office;

(2)(X) record in which the judicial branch determines or states an opinion on the rights of the state, a political subdivision, the public, or a person;

(2)(Y) record of the receipt or expenditure of public funds;

(2)(Z) record, minutes, or transcript of an open meeting;

(2)(AA) official audio record, minutes, or transcript of an open hearing;

(2)(BB) record of formal discipline of current or former court personnel or of a person regulated by the judicial branch if the disciplinary action has been completed, and all time periods for administrative appeal have expired, and the disciplinary action was sustained;

(2)(CC) record of a request for a record;

(2)(DD) reports used by the judiciary if all of the data in the report is public or the Judicial Council designates the report as a public record;

(2)(EE) rules of the Supreme Court and Judicial Council;

(2)(FF) search warrants, the application and all affidavits or other recorded testimony on which a warrant is based are public after they are unsealed under Rule 40 of the Utah Rules of Criminal Procedure;

(2)(GG) statistical data derived from public and non-public records but that disclose only public data; and

(2)(HH) notwithstanding subsections (6) and (7), if a petition, indictment, or information is filed charging a person 14 years of age or older with a felony or an offense that would be a felony if committed by an adult, the petition, indictment or information, the adjudication order, the disposition order, and the delinquency history summary of the person are public records. The delinquency history summary will contain the name of the person, a listing of the offenses for which the person was adjudged to be within the jurisdiction of the juvenile court, and the disposition of the court in each of those offenses. Upon a finding of good cause on the record, the juvenile court may reclassify these records as non-public.

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

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

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

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

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

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

(3)(B) expunged records;

(3)(C) orders authorizing installation of pen register or trap and trace device under Utah Code section 77-23a-15;

(3)(D) records showing the identity of a confidential informant;

(3)(E) records relating to the possession of a financial institution by the commissioner of financial institutions under Utah Code section 7-2-6;

(3)(F) wills deposited for safe keeping under Utah Code, title 75, chapter 2, part 9, Custody and Deposit of Wills;

(3)(G) records designated as sealed by rule of the Supreme Court;

(3)(H) record of a Children's Justice Center investigative interview after the conclusion of any legal proceedings;

(3)(I) on appeal, any record previously designated as sealed by another court;

(3)(J) video record of a court proceeding, other than security video;

(3)(K) "nonpublic restitution record" as defined in Utah Code section 63M-7-502; and

(3)(L) other records as ordered by the court under Rule 4-202.04.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4)(F) alternative dispute resolution records;

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

(4)(H) jail booking sheets;

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

(4)(J) judgment information statement;

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

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

(4)(M) the following personal identifying information about a person other than a party or a victim or witness of a crime: residential address, personal email address, personal telephone number; date of birth, driver's license number, social security number, account description and number, password, identification number, maiden name, mother's maiden name, and similar personal identifying information;

(4)(N) medical, psychiatric, or psychological records;

(4)(O) name of a minor, except that the name of a minor party is public [in child protective order proceedings in juvenile court and](#) in the following district and justice court proceedings:

(4)(O)(i) name change of a minor, unless the name change is combined with a sex designation change;

(4)(O)(ii) guardianship or conservatorship for a minor;

(4)(O)(iii) felony, misdemeanor, or infraction when the minor is a party;

(4)(O)(iv) protective orders and stalking injunctions; and

(4)(O)(v) custody orders and decrees;

(4)(P) nonresident violator notice of noncompliance;

(4)(Q) personnel file of a current or former court personnel or applicant for employment;

(4)(R) photograph, film, or video of a crime victim;

(4)(S) record of a court hearing closed to the public or of a child's testimony taken under Rule 15.5 of the Utah Rules of Criminal Procedure:

(4)(S)(i) permanently if the hearing is not traditionally open to the public and public access does not play a significant positive role in the process; or

(4)(S)(ii) if the hearing is traditionally open to the public, until the judge determines it is possible to release the record without prejudice to the interests that justified the closure;

(4)(T) record submitted by a senior judge or court commissioner regarding performance evaluation and certification;

(4)(U) record submitted for in camera review until its public availability is determined;

(4)(V) reports of investigations by Child Protective Services;

(4)(W) statement in support of petition to determine competency;

(4)(X) victim impact statements;

(4)(Y) name of a prospective juror summoned to attend court, unless classified by the judge as safeguarded to protect the personal safety of the prospective juror or the prospective juror's family;

(4)(Z) records filed pursuant to Rules 52 - 59 of the Utah Rules of Appellate Procedure, except briefs filed pursuant to court order;

(4)(AA) records in a proceeding under Rule 60 of the Utah Rules of Appellate Procedure;

(4)(BB) records related to Court Commissioner Conduct Committee and Council actions under Rule 3-201.02, other than a public censure by the Council;

(4)(CC) for an offense occurring on or after July 1, 2026, a court record that identifies a victim of a crime by name rather than initials if, prior to the entry of final disposition, judgment, or sentence in the case, a valid request is made under Rule 4-202.12; and

(4)(DD) other records as ordered by the court under Rule 4-202.04.

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

(5)(A) attorney's work product, including the mental impressions or legal theories of an attorney or other representative of the courts concerning litigation, privileged communication between the courts and an attorney representing, retained, or employed by the courts, and records prepared solely in anticipation of litigation or a judicial, quasi-judicial, or administrative proceeding;

(5)(B) records that are subject to the attorney client privilege;

(5)(C) bids or proposals until the deadline for submitting them has closed;

(5)(D) budget analyses, revenue estimates, and fiscal notes of proposed legislation before issuance of the final recommendations in these areas;

(5)(E) budget recommendations, legislative proposals, and policy statements, that if disclosed would reveal the court's contemplated policies or contemplated courses of action;

(5)(F) court security plans;

(5)(G) investigation and analysis of loss covered by the risk management fund;

(5)(H) memorandum prepared by staff for a member of any body charged by law with performing a judicial function and used in the decision-making process;

(5)(I) confidential business records under Utah Code section 63G-2-309;

(5)(J) record created or maintained for civil, criminal, or administrative enforcement purposes, audit or discipline purposes, or licensing, certification or registration purposes, if the record reasonably could be expected to:

(5)(J)(i) interfere with an investigation;

(5)(J)(ii) interfere with a fair hearing or trial;

(5)(J)(iii) disclose the identity of a confidential source; or

(5)(J)(iv) concern the security of a court facility;

(5)(K) record identifying property under consideration for sale or acquisition by the court or its appraised or estimated value unless the information has been disclosed to someone not under a duty of confidentiality to the courts;

(5)(L) record that would reveal the contents of settlement negotiations other than the final settlement agreement;

(5)(M) record the disclosure of which would impair governmental procurement or give an unfair advantage to any person;

(5)(N) record the disclosure of which would interfere with supervision of an offender's incarceration, probation, or parole;

(5)(O) record the disclosure of which would jeopardize life, safety, or property;

(5)(P) strategy about collective bargaining or pending litigation;

(5)(Q) test questions and answers;

(5)(R) "trade secrets" as defined in Utah Code section 13-24-2;

(5)(S) record of a Children's Justice Center investigative interview before the conclusion of any legal proceedings;

(5)(T) presentence investigation report;

(5)(U) probation progress/violation reports;

(5)(V) except for those filed with the court, records maintained and prepared by juvenile probation;

(5)(W) unredacted judicial officer financial disclosure forms; and

(5)(X) motions, supporting materials, and records of hearings involving the admissibility of evidence of a victim's sexual behavior or other evidence under Rule 412 of the Utah Rules of Evidence; and

(5)(~~Y~~X) other records as ordered by the court under Rule 4-202.04.

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

(6)(A) correspondence relating to juvenile social records;

- (6)(B) custody evaluations, parent-time evaluations, parental fitness evaluations, substance abuse evaluations, domestic violence evaluations;
- (6)(C) medical, psychological, psychiatric evaluations;
- (6)(D) pre-disposition, dispositional, and social summary reports;
- (6)(E) probation agency and institutional reports or evaluations;
- (6)(F) referral reports;
- (6)(G) report of preliminary inquiries;
- (6)(H) treatment or service plans;
- (6)(I) nonjudicial adjustment records; and
- (6)(J) documents filed with the court that were received pursuant to the Utah Interstate Compact for Juveniles.

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

- (7)(A) accounting records;
- (7)(B) discovery filed with the court;
- (7)(C) pleadings, summonses, subpoenas, motions, affidavits, calendars, minutes, findings, orders, decrees, probable cause statements;
- (7)(D) name of a party or minor;
- (7)(E) record of a court hearing;
- (7)(F) referral and offense histories; and
- (7)(G) any other juvenile court record regarding a minor that is not designated as a social record.

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

- (8)(A) upon request, location information, contact information, and identity information, other than the name of a petitioner and other persons to be protected, in an action filed under Utah Code, title 78B, chapter 7, Protective Orders and Stalking Injunctions;
- (8)(B) upon request, location information, contact information and identity information, other than the name of a party or the party's child, after showing by affidavit that the health, safety, or liberty of the party or child would be jeopardized by disclosure in a proceeding under Utah Code, title 81, chapter 11, Utah Uniform Child Custody Jurisdiction and Enforcement Act, Utah Code, title 81, chapter 8, Uniform Interstate Family Support Act; or Utah Code, title 81, chapter 5, Utah Uniform Parentage Act;

(8)(C) upon request, if the information has been safeguarded under paragraph (8)(A) or (8)(B), location information, contact information and identity information, other than the name of a party or the party's child, in a proceeding under Utah Code, title 81, Utah Domestic Relations Code;

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

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

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

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

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

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

Effective: ~~May 18, 2026~~ November 1, 2026