

**JUDICIAL COUNCIL MEETING
Minutes**

August 21, 2026
Hybrid Meeting (in person and Webex)

Matheson Courthouse – Large Conference Room A
450 S State Street, Salt Lake City, UT 84111

Honorable Associate Chief Justice Jill Pohlman presiding

Members:

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

AOC Staff:

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

Excused:

Hon. Michael DiReda
Hon. Amber Mettler
Brody Arishita

Presenters:

Dr. Robbi Foxxe
Gary Syphus
Hon. Ryan Peters
Mikelle Ostler
Tucker Samuelson
Karl Sweeney
Alisha Johnson
Mary-Margaret Pingree
Madison Klein
Janine Liebert
Jonathan Mark

1. WELCOME AND 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 July 27, 2026, meeting minutes. None were raised.

Motion: Judge Rita Cornish moved to approve the July 27, 2026, minutes. Judge David Mortensen seconded the motion, and it passed unanimously.

2. FY 2027 ANNUAL BUDGET PLANNING OVERVIEW (Ron Gordon)

Ron Gordon provided an overview of the budget process and recognized the finance team for their work in preparing for the annual budget meeting. He explained that all requests had been ranked by the Juvenile, District, and Appellate Boards of Judges, as well as the Budget and Fiscal Management Committee (BFMC). The Judicial Council will determine which requests to adopt as priorities for the Judiciary and advance to the Legislature. The prioritized requests will be presented during the 2027

legislative session, with funding effective July 1, 2027 (FY 2028), if approved.

Utah Economic Outlook (Dr. Robbi Foxxe)

Dr. Robbi Foxxe presented an overview of Utah's economic and demographic outlook. She reported slowing population growth, declining fertility rates, an aging population, and changing labor-force participation. Utah continues to compare favorably with national economic indicators, including job growth and economic diversity, but recent trends reflect slower growth and greater household financial pressure.

Dr. Foxxe discussed lower household savings, elevated credit-card delinquency rates, modest increases in unemployment, continued inflation concerns, and the likelihood that interest rates will remain elevated in the near term. She also highlighted housing affordability as a significant challenge, particularly for new homebuyers and employers seeking to recruit workers to Utah. The baseline economic outlook was characterized as continued low growth rather than recession, with Utah remaining comparatively well positioned because of its diverse economy, educated workforce, and other structural strengths.

Legislature's Approach to FY 2028 Budget (Gary Syphus)

Gary Syphus, Legislative Fiscal Analyst, provided an overview of the State budget, the appropriations process, and factors that influence legislative funding decisions. He explained the distinction between discretionary and restricted funding sources and described the competition among agencies and programs for available ongoing and one-time revenue.

Mr. Syphus reviewed the prior session's budget reductions and reallocations, noting that legislative analysts had been directed to identify options totaling five percent of agency budgets. Statewide reductions and reallocations were used to address other priorities and mandatory costs. He also discussed significant statewide pressures, including Medicaid, wildfire costs, public education, employee compensation, infrastructure, housing, and other legislative priorities.

The Judiciary's current budget was described as approximately \$252 million, primarily from the General Fund. Mr. Syphus noted that the courts received significant appropriations during the prior session, including funding for new judicial officers and judicial transparency initiatives, while also experiencing reductions and funding shifts.

Mr. Syphus discussed factors that may be considered when evaluating funding requests, including existing appropriations, implementation progress, outcomes, and operational impacts. He emphasized the importance of framing requests in terms of the effect on the public and constituents, including what a proposed investment would accomplish and the practical consequences if funding is not provided. Mr. Syphus complimented the Judiciary's fiscal-note process and encouraged continued use of clear and concise information about operational impacts. Council members noted the importance of explaining how policy and funding decisions may affect court users, staffing, case processing, and judicial workload.

FY 2026 Filings and Disposition Count (Tucker Samuelsen)

Tucker Samuelsen, Director of Data and Research, presented annual case-filing and workload trends and demonstrated the court statistics dashboard. He reported substantial increases in appellate filings following the pandemic, with Utah's growth exceeding the national trend. Justice Court filings

were generally stable, with traffic and small-claims filings returning near pre-pandemic levels. Juvenile Court data reflected increases in selected delinquency and child-welfare filings, including geographically concentrated increases in misdemeanor filings. The Business and Chancery Court has now been operating long enough to begin developing a workload history and staff anticipate incorporating the court into the next District Court weighted-caseload study.

District Court trends reflected continued high civil workloads. Eviction filings remained near historically high levels, tort filings again reached record levels, and debt-collection filings continued to increase. Search warrants and other high-volume work also remain significant. Mr. Samuelson led a discussion regarding limitations of the current weighted-caseload methodology, including the challenges of capturing case complexity, self-represented litigation, settlement conferences, after-hours work, and the distinction between time currently spent on judicial work and the time reasonably needed to perform that work. Council members asked staff to consider whether future workload studies could include both quantitative data and narrative or qualitative information reflecting practical courtroom realities.

Introduction to Budget Requests Prioritization Process (Karl Sweeney and Ron Gordon)

Karl Sweeney reviewed historical budget request trends. Mr. Gordon noted that Judiciary employees recognize and appreciate the Council's increased focus on employee compensation in recent years. He emphasized that compensation had not been adequately addressed for many years, creating a gap that is difficult to resolve in a single budget cycle. He further noted that inflation and rising living costs continue to significantly affect employees, contributing to some employees seeking secondary employment or considering leaving the Judiciary.

Ron Gordon noted that the Council has directed substantial discretionary resources to employee compensation in recent years and requested flexibility to continue pursuing compensation funding even if not all requested judicial positions are funded. Council members recognized the seriousness of the Judiciary's ongoing recruitment and retention challenges and the importance of continuing to address employee compensation. They also agreed that flexibility in pursuing the Judiciary's budget priorities will be important.

FY2027 Legislative Budget Requests (BFMC – Recommended Priority Order)

Juvenile Court Judicial Officers and Support Staff- \$1,870,00 ongoing

This request focused on additional judicial resources in the Third and Fourth Districts. Judge Susan Eisenman emphasized sustained caseload growth, increasing complexity in child-welfare and delinquency matters, statutory permanency timelines, and the need for timely intervention in juvenile cases. Judge Eisenman additionally noted that the affected districts have operated above capacity for several years and that delayed hearings can negatively affect permanency, reunification, accountability, and recidivism outcomes.

SOURCE	FY27 ONE-TIME	FY28 ONGOING	FY28 ONE-TIME	TOTAL REQUEST
GF, ITF, USF	\$0	\$1,870,000	\$0	\$1,870,000
OTHER	\$0	\$0	\$0	\$0
TOTAL	\$0	\$1,870,000	\$0	\$1,870,000
			New FTEs	10

District Court Judicial Officers- \$9,502,800 ongoing; \$1,348,900 one-time

This request included ongoing funding for additional judges and support staff to address existing weighted-caseload needs, as well as two additional Third District judges to address the anticipated transfer of Justice Court workload. One-time funding was also requested for courtroom build-out needs associated with additional judicial officers. The Council discussed how impending Justice Court closures could substantially increase Third District workload and the importance of addressing both existing workload and new legislatively driven workload.

SOURCE	FY27 ONE-TIME	FY28 ONGOING	FY28 ONE-TIME	TOTAL REQUEST
GF, ITF, USF	\$0	\$9,502,800	\$1,348,900	\$10,851,700
OTHER	\$0	\$0	\$0	\$0
TOTAL	\$0	\$9,502,800	\$1,348,900	\$10,851,700
			New FTEs	56.5

Core Courthouse Workforce- Recruit and Retain \$5,563.00 ongoing

The Core Courthouse Workforce request focused on recruitment and retention challenges among judicial assistants, probation officers, and other court staff. Shane Bahr reported a continuing decline in average Judicial Assistant tenure and significant numbers of newer employees. The Council discussed the effect of compensation, workload, training costs, turnover, and competition with other employers and state agencies.

Ron Gordon emphasized that the Council has directed substantial discretionary resources to employee compensation in recent years and requested flexibility to continue pursuing compensation funding, even if not all requested judicial positions are funded. Council members recognized the seriousness of employee compensation concerns.

SOURCE	FY27 ONE-TIME	FY28 ONGOING	FY28 ONE-TIME	TOTAL REQUEST
GF, ITF, USF	\$0	\$5,563,000	\$0	\$5,563,000
OTHER	\$0	\$0	\$0	\$0
TOTAL	\$0	\$5,563,000	\$0	\$5,563,000
			New FTEs	0

Prioritization of FY 2028 Legislative Budget Requests (Karl Sweeney and Alisha Johnson)

The Budget and Fiscal Management Committee's (BFMC) recommendation was presented as a starting point for Council discussion and possible adjustment.

The Council discussed whether judicial-officer requests should be combined or ranked separately, how to account for Justice Court workload transferring to District Court, and how to communicate priorities while preserving flexibility in legislative negotiations. The Council also discussed the importance of describing budget needs in terms of their impact on court users, including delayed trials, delayed family-law decisions, child-welfare timelines, and access to court services.

Motion: Judge Suchada Bazzelle moved to adopt the funding priorities as recommended by the BFMC and authorize Ron Gordon to exercise discretion in legislative negotiations as needed. Justice Paige Petersen seconded the motion, which passed unanimously.

Judicial Council Funding Priorities:

- 1) Juvenile Court Judicial Officers and Support Staff
- 2) District Court Judicial Officers and Support Staff
- 3) Core Courthouse Workforce Recruiting and Retention

3. RECOGNITION OF CHIEF JUSTICE MATTHEW DURRANT (Associate Chief Justice Jill Pohlman)

Chief Justice Matthew Durrant expressed his gratitude to the Council, judicial leaders, and administrative staff for their support during his recent illness and throughout his tenure. He expressed confidence in Justice Paige Petersen and Justice Jill Pohlman, the Council, and the Administrative Office of the Courts, and reflected on the importance of integrity, reasoned discourse, judicial independence, and public service.

Justices Pohlman and Petersen thanked Chief Justice Durrant for his leadership and service to the Utah judiciary. The Council recognized his 29 years of judicial service, including 26 years on the Utah Supreme Court and 14 years as Chief Justice and chair of the Judicial Council. An award honoring his exceptional leadership and dedicated service as chair of the Utah Judicial Council from 2012 through 2026 was presented and will be delivered to him.

4. CHAIR'S REPORT (Associate Chief Justice Jill Pohlman)

Chief Justice Jill Pohlman reported that she had no updates at this time.

5. STATE COURT ADMINISTRATOR REPORT (Ron Gordon)

Ron Gordon reported that he had no updates at this time.

6. COMMITTEE REPORTS

Management Committee: Nothing to report.

Budget & Fiscal Management Committee: Nothing to report.

Liaison Committee: Judge Brendan McCullagh reported the work of the committee was discussed earlier in the meeting.

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

Bar Commission: Ms. Katie Woods reported that the Fall Forum will be held November 19-20, 2026, at the Little America Hotel. She noted that the Utah State Bar's dues increase has been implemented without significant issues and that the summer convention was successful. Judge Gardner and Justice Durrant received awards during the convention. The 2027 Spring Bar Convention in St. George is scheduled for March 10-12, 2027. Ms. Woods noted that the Bar always appreciates the participation of judges and Judicial Council members in the convention.

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

Alisha Johnson presented the financial reports.

FY 2026 Ongoing Turnover Savings- Preliminary Final

#		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)	1,187,379	1,187,379	1,187,379	-
1	Ongoing Turnover Savings FY 2026 (forecast \$65,000 / month x 0 months, Salary Differential only)	-	-	-	-
	TOTAL SALARY RELATED ONGOING SAVINGS	1,325,961	1,325,961	1,325,961	-
	Benefit Differential Savings FY 2026 (will be recognized in this row starting in Q4)	72,720	66,393	66,393	(6,327)
	TOTAL SAVINGS	1,398,681	1,392,355	1,392,355	(6,327)
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	1,198,681	1,192,355	1,192,355	(6,327)

FY 2027 Carryforward and Ongoing Requests

Ongoing Turnover Savings carried over from FY 2025	One Time	Ongoing
Forecasted YE Ongoing Turnover Savings from FY 2026		\$ 138,582
Unused Ongoing Investing in Our People Comp Track Increase, FY 2026		\$ 1,253,772
Subtotal		\$ 126,705
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	\$ 2,370,890	\$ -
Total Available Funding	\$ 2,461,390	\$ 1,788,459
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		\$ (200,000)
Net Available for Use	\$ 2,461,390	\$ 1,588,459

FY 2027 Ongoing Turnover Savings as of 08/05/2026 - Period 1

#		Prior Month Forecast	Actual	Forecasted	Change in Forecast
		Amount @ YE	Amount YTD	Amount @ YE	Amount @ YE
	Net Carried over Ongoing Savings (FY 2026, includes \$185,000 ongoing cut from legislature, 2026 GS)		78,709	78,709	78,709
	Ongoing Turnover Savings FY 2027 (actual year-to-date, Salary Differential only)		108,854	108,854	108,854
1	Ongoing Turnover Savings FY 2027 (forecast \$65,000 / month x 11 months, Salary Differential only)		-	715,000	715,000
	TOTAL SALARY RELATED ONGOING SAVINGS		187,563	902,563	902,563
	Benefit Differential Savings FY 2027 (will be recognized in this row starting in Q4)			-	-
	TOTAL SAVINGS		187,563	902,563	902,563
2	2027 Annual Authorized Hot Spot Raises		(45,316)	(200,000)	(200,000)
	TOTAL USES		(45,316)	(200,000)	(200,000)
	Total Actual/Forecasted Unencumbered Turnover Savings for FY 2027		142,248	702,563	702,563

FY 2027 Onetime Turnover Savings Period 1- Estimated for FY 2027

#	Funding Type	Actual Amount
1	One Time Turnover Savings (no data yet)	-
2	Est. One Time Savings for remaining pay hours (2088 @ \$600 / pay hour)	1,252,800
Total Potential One Time Savings		3 1,252,800

FY 2027 Year End Requests and Forecasted Available One-time Funds- Period 1

Forecasted Available One-time Funds			#	One-time Spending Plan Requests	Adjusted Requests Amount	Judicial Council Approved Amount
	Description	Funding Type				
	Sources of YE 2027 Funds					
	Turnover Savings as of PPE N/A (not yet reported)	Turnover Savings				
	Turnover Savings Estimate for the rest of the year (\$600 x 2088 pay hours)	Turnover Savings				
	Prior Year Unused 1x Carryforward					
	Total Potential Available from 1x Turnover Savings and Carryforward					
	Less: Judicial Council Delegated to State Court Administrator for Discretionary Use					
(a)	Total Potential One Time Turnover Savings less Discretionary Use					
	Operational Savings From TCE / AOC Budgets - estimate of \$62,500 per period	Internal Operating Savings				
	Legislative 1x Budget Cut - 2026 General Session	Legislative Action				
(b)	Total Operational Savings, Legislative Actions, and Reserve					
(c)	Total of Turnover Savings & Operational Savings = (a) + (b)					
	Uses of YE 2027 Funds					
(d)	Assumes carryforward into FY28 is same as actual FY27 requests	FY 2028 Carryforward				
	Total forecasted One Time Savings Surplus/(Deficit) = (c) less Carryforward (d)					
	Less: Judicial Council Requests Previously Approved					
	Less: Judicial Council Current Month Spending Requests					
	Remaining Forecasted Funds Available for FY 2027 YE Spending Requests, CCCF, etc.					

Last reported expected carryforward: N/A

8. JPEC REPORT (Mary-Margaret Pingree and Madison Klein)

Mary-Margaret Pingree, the Executive Director of the Judicial Performance Evaluation Commission (JPEC) requested Council feedback regarding the study required by SB 233 on whether reversals for abuse of discretion should be included as a judicial performance metric. JPEC reviewed appellate decisions from the applicable retention period and found relatively few abuse-of-discretion reversals, with the reversals broadly distributed among judges rather than concentrated among a small number of judicial officers.

Council members expressed concern that the phrase “abuse of discretion” encompasses a wide range of appellate outcomes and may not reliably measure judicial performance. They noted that reversals may result from insufficient findings, changes in law, differing legal interpretations, or other circumstances that may not be readily apparent to voters. The Council also questioned how a meaningful performance benchmark could be established and generally expressed concern that the proposed metric could be misleading without substantial context.

Madison Klein of JPEC demonstrated the Commission's updated public website. The revised format places more information on top-level pages, highlights the primary survey categories, provides cumulative information for easier comparison, and uses a more concise narrative format. Council members were invited to provide feedback.

9. **MYCASE NOTIFICATION PROJECT (PHASE 2) AND UTAH BAR FOUNDATION GRANT** (Janine Liebert, Jonathan Mark and Jordan Murray)

Janine Liebert, Director of the Self-Help Center and Utah State Law Library, introduced Jonathan Mark, MyPaperwork Program Administrator. Ms. Liebert explained that Phase One of the project, funded through a Utah Bar Foundation grant, established the notification platform, including automated hearing reminders by text and email and a tracking dashboard. Phase Two would expand MyCase automated notifications so users could receive informational text or email notices when specified documents are filed. The concept would build on hearing reminders developed in phase one and would link users to existing Self-Help Center information. The Policy, Planning and Technology committee reviewed the proposal and asked that concerns regarding user reliance, unequal access, official notice, and the distinction between legal information and advocacy be addressed.

Council members supported the goal of improving notice to self-represented litigants but expressed concern that document-specific guidance could be perceived as advocacy or could create reliance on selective notifications. The Council discussed a more limited notification approach and emphasized that any substantive notification language should remain neutral and within the courts' role of providing legal information rather than legal advice.

Jordan Murray requested authorization to submit a Phase Two grant application to the Utah Bar Foundation. The initial grant provided \$205,000 and supported seven projects involving MyCase, MyPaperwork, and the forms engine. The proposed continuation would pursue remaining priorities and related projects identified during Phase One.

Motion: Judge Michael Leavitt moved to authorize the MyCase Working Group to pursue grant funding for Phase Two, with the requirement that the Working Group return to the Judicial Council for further review and approval before implementation. Judge Cornish seconded the motion, and it passed unanimously.

10. ELECTED OFFICIAL AND JUDICIAL COMPENSATION COMMISSION (EOCJ) UPDATE (Michael Drechsel)

Michael Drechsel summarized the role of the Elected Official and Judicial Compensation Commission (EOCJ) and recent discussions regarding judicial compensation and the possible expanded use of Senior Judges. The Council discussed judicial salary trends, national and regional comparisons, the number of applicants for judicial vacancies, private-sector legal compensation, and the Legislature's historical practice of extending statewide cost-of-living adjustments to judges.

Council members did not support pursuing a judicial salary increase beyond the statewide cost-of-living adjustment during the upcoming session, given the Council's other budget priorities. Members were open to targeted use of Senior Judge where a specific need could be efficiently addressed but did not view Senior Judges as a substitute for permanent judicial positions where workload needs are ongoing.

Motion: Judge Susan Eisenman moved to authorize Ron Gordon, Justice Jill Pohlman and Judge David Mortensen to communicate the Council's position at the upcoming EOCJ meeting. Judge Christine Johnson seconded the motion, and it passed unanimously.

11. DEBT COLLECTION AND HOUSING DIVISION- COMMISSIONERS SELECTION (Shane Bahr)

Shane Bahr presented a request from the Debt Collection and Housing Division for a one-time exception to Rule 3-201 and Rule 2-209, the normal commissioner selection process, while related rule amendments remain under review. Two commissioner positions for the Debt Collection and Housing Division have been posted, and the requested exception would allow a selection committee to be formed without delaying recruitment. The proposed exception would place the responsibility to the Board of District Court Judges as follows:

- Authorizing the Chair of the Board of District Court Judges (BDCJ), or a designee, to form a nominating committee and to select a chair of the committee.
- Increasing the number of judges on the nominating committee from one to three.
- Directing the committee chair to present names applications, and the results of background

investigations of the nominees to the BDCJ.

- Directing the BDCJ to select one of the nominees.
- Directing the Board Chair, or designee, to present the selected nominee to the Management Committee to vote on the selection.
- Allowing the BDCJ the ability to select another nominee if the Management Committee does not concur.
- Giving the Chair of the BDCJ the responsibility to provide general supervision, including performance reviews and necessary corrective action, until rule amendments are finalized.

Motion: Judge McCullagh moved to approve a one-time exception to Rules 3-201 and 2-209, allowing the commissioner selection committee to include three judges selected through the Board of District Court Judges, three public members, and the remaining members required for commissioner selection as outlined in the memorandum. Judge Gardner seconded the motion, and it passed unanimously.

12. RULES FOR FINAL APPROVAL (Keisa Williams)

Keisa Williams presented recommended amendments to CJA Rule 3-421. Ms. Williams stated the rule is back from a 45-day public comment period with no public comments received. She recommended that the rule be approved with a November 1, 2026, effective date.

Motion: Judge Mortensen moved to approve CJA Rule 3-421 as recommended, with a November 1, 2026, effective date. Judge McCullagh seconded the motion, and it passed unanimously.

13. CONSENT CALENDAR (Associate Chief Justice Jill Pohlman)

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

14. OLD BUSINESS/NEW BUSINESS

Ron Gordon reminded Council members that the March 2027 Judicial Council meeting will be held on Wednesday in conjunction with the Utah State Bar Convention in St. George to allow members to participate fully in convention programming. Travel and lodging information will be distributed well in advance, and members were encouraged to attend in person. Ms. Katie Woods stated that the Bar is considering a Judicial Council panel or other Council participation in the convention program.

15. ADJOURN (Associate Chief Justice Jill Pohlman)

The meeting was adjourned.