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- Advisory Committee Note to  
Rule 37A - b/c it says  
interpret using 765-411 + ORCP 15.5  
which are based on Ohio v. Roberts  
which was overruled by Crawford  
(app in criminal cases)

~~Send electronic copy of  
memo to Bob Smith~~

The Hilton Family



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**MEMORANDUM**

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**TO:** TIM SHEA  
**FROM:** KATIE GREGORY  
**SUBJECT:** URJP COMMITTEE REQUESTS  
**DATE:** 11/15/2004

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The Utah Rules of Juvenile Procedure committee met on October 1, 2004. The URJP Committee requested that I contact you regarding three items they would like you to present to the publishers for change in the Spring 2005 Utah Rules volume. The three items are as follows:

1. Advisory Committee Note to URJP 37A

The Committee moved to delete the entire Advisory Committee note to rule 37A, which reads, "*This rule is based upon provisions governing admissibility of out-of-court statements of child victims of sexual abuse in adult criminal proceedings. This rule is intended to be interpreted using the case law developed under Utah Code Section 76-5-411 and Rule of Criminal Procedure 15.5.*" The motion was based on committee concerns that the recent Supreme Court decision in *Crawford* overrules *Ohio v. Roberts* on which the Committee Note was based.

2. URJP Table of Contents–Section VII

Currently, the heading to Section VII reads "PROCEEDINGS RELATING TO CRIMINAL MATTERS." The Committee requests that the heading be changed to "PROCEEDINGS RELATING TO DELINQUENCY MATTERS."

3. Advisory Committee Note to URJP 8

The Advisory Committee Note to URJP 8 still mentions "Division of Youth Corrections" in two places. Following the name change of the organization, both referenced should be changed in the Committee Note to read "Juvenile Justice Services."