

Utah Rules of Juvenile Procedure Committee- Meeting Minutes

March 18, 2016

Noon to 2:00 p.m.

Education Room

MEETING DATE

TIME

LOCATION

MEMBERS:	Present	Absent	Excused	MEMBERS:	Present	Absent	Excused
Carol Verdoia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Maybell Romero	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judge Elizabeth Lindsley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Alan Sevison	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judge Mary Manley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pam Vickrey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kristin Fadel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mikelle Ostler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Fureigh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chris Yannelli	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Brent Hall	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Debra Jensen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trish Cassell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AOC STAFF:	Present	Excused		GUESTS:	Present	Absent	
Katie Gregory	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
Emily Iwasaki	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
Tim Shea	<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	

AGENDA TOPIC

I. Welcome & Approval of Minutes		CHAIR: CAROL VERDOIA	
Corrections to the Minutes: None			
Motion: To approve the minutes of December 4, 2015 as written	By: Judge Lindsley	Second: Maybell Romero	
Approval	<input checked="" type="checkbox"/> Unanimous	<input type="checkbox"/> Vote: In Favor _____ Opposed _____	

AGENDA TOPIC

II. Remote Access Rules: Rule 29B and 37B- Final Review of Comments	CAROL VERDOIA AND KATIE GREGORY
<p>The comment period for Rule 29B and 37B closed on March 14, 2016 and no formal comments were received. Brent Hall discussed two comments he received informally from parental defense attorneys regarding the use of the phrase "good cause" and whether the rules could potentially impact due process. Katie Gregory discussed a concern expressed by child welfare mediators that the term "hearing" should be used rather than "proceeding." Committee members noted that there are proceedings in juvenile court in which telephonic attendance may be necessary such as scheduling conferences and the rule does not bind the court in either circumstance. Ultimately, the committee took no further action on the comments and asked that the rules be forwarded to the Supreme Court for final consideration.</p>	
Action Item:	Katie Gregory will schedule a time to present the final rules to the Supreme Court for consideration.

Criminal Procedure may apply. An additional issue is the interpretation of the rule on whether the court or the prevailing party should serve orders. Judge Lindsley will take these issues to the Board and the other judges and committee members were asked to do the same with their respective offices.

Action Item:

Members to gather feedback on the applicability of civil and criminal rules in juvenile court and report at the next meeting.

AGENDA TOPIC

VI. Old or New Business

ALL

The committee had a brief discussion on whether recent legislation impacted any of the Rules of Juvenile Procedure. The committee will discuss this further if needed after bills are signed by the Governor.

The next meeting was set for June 3, 2016 from Noon to 2:00 p.m.