

Utah Rules of Juvenile Procedure Committee- Meeting Minutes

May 1, 2015

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	Paul Wake	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Fureigh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mikelle Ostler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Narda Beas-Nordell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>		Krista Airam	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Emily Iwasaki	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Alison Adams Perlac	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>		Tim Shea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

AGENDA TOPIC

I. Welcome & Approval of Minutes		CHAIR: CAROL VERDOIA	
<p>The minutes of March 27, 2015 were approved as written.</p> <p>Carol Verdoia recognized Paul Wake for his 16 years of service to the committee and presented him with a certificate from the Utah Supreme Court. Mr. Wake's term ends on June 30, 2015.</p>			
Motion: To approve the minutes of March 27, 2015 as written.	By: Alan Sevison	Second: Paul Wake	
Approval	<input type="checkbox"/> Unanimous	<input checked="" type="checkbox"/> Vote: In Favor _____ Opposed _____	

AGENDA TOPIC

II. Discussion of Proposed Revisions to URCP 5(b)(3)(A) Regarding Methods of Service	CAROL VERDOIA AND KATIE GREGORY
<p>Carol Verdoia and Katie Gregory explained the impact of juvenile court e-filing on the application of URCP 5(b)(3)(A), which provides that a paper is served if it is submitted for electronic filing and the person served has an electronic filing account. Currently, in District Court, the person being served receives an electronic notice from the court that a document has been filed. However, in juvenile court proceedings, CARE will not send email notice to the parties. In order to clarify that e-filing does not constitute a method of service in juvenile court, Tim Shea proposed adding the words "except in juvenile court" to URCP 5(b)(3)(A).</p> <p>The committee discussed various concerns including: 1) whether an email from the serving party to other persons constitutes service pursuant to Rule 5(b)(3)(B); 2) any impact on appellate timelines; and 3) the ability of counsel to receive email notifications from the court when an order is signed. The committee also discussed that for the purpose of Rule 5, CARE will act as an electronic filing account as the term is used in the rule. Carol Verdoia suggested that the</p>	

AGENDA TOPIC

V. Proposed New Rule 58A: Redaction of Victim Information	JUDGE ELIZABETH LINDSLEY ALISON ADAMS PERLAC
<p>By statute, the juvenile court may not release victim identifying information. An issue has arisen in CARE with the uploading of police reports without redacting the victim identifying information. A similar issue occurs with victim information in petitions, case reports and other documents. Alison Adams Perlac drafted proposed Rule 58A to remedy the issue by requiring that prior to filing a document for review by a judge; the filing party must redact any safeguarded victim information.</p> <p>The committee discussed how to define "victim" as the term relates to a child welfare proceeding and had a lengthy discussion regarding how the rule would apply, if at all, in child welfare matters. Members agreed to put proposed Rule 58A on the next agenda for further discussion. Members were asked to review Code of Judicial Administration Rule 4-202.02(8)(E) prior to the meeting and consider how Rule 58A will apply to their respective agencies and/or law practices.</p>	
Action Item:	Committee members to review Rule 58A and CJA 4-202.02(8)E and consider application of rules in child welfare proceedings.

AGENDA TOPIC

VI. Old or New Business; Next Meeting	ALL
<p>There being no old or new business items, the next meeting was set for June 26, 2015 from Noon to 2:00 p.m.</p>	