Utah Supreme Court's
Advisory Committee on the Rules of Juvenile Procedure

Meeting Minutes

Matthew Johnson, Chair

Location: Webex
Date: October 2, 2026
Time: 12:00 p.m. – 2:00 p.m.

Attendees: Matthew Johnson, Chair William Russell, Vice Chair Adrianna Davis Alexa Arndt Carolyn Perkins David Fureigh, Emeritus Member Dawn Hautamaki Elizabeth Ferrin James Smith Judge Debra Jensen Lorelei Naegle Rory Jones Stephen Starr Thomas Luchs Tyler Ulrich	**Excused Members**: **Guests:** Zerina Ocanovic, Deputy Juvenile Court Administrator Daniel Meza Rincón, Juvenile Court Administrator
Staff: Erika Larsen, Juvenile Court Law Clerk Attorney Joe Mitchell, Juvenile Court Law Clerk Attorney Lisa McQuarrie, Juvenile Court Law Clerk Attorney Raymundo Gallardo, Administrative Office of the Courts	

1. **Welcome and approval of the September 4, 2026, Meeting Minutes**. (Matthew Johnson)

   Committee Chair Matthew Johnson welcomed attendees and asked for formal introductions.

   The proposed minutes from the September 4, 2026, meeting were presented. Chair Johnson invited comments or corrections from the members. There were no comments or corrections. Dawn Hautamaki made a motion to adopt the minutes. Elizabeth Ferrin seconded the motion, and it passed unanimously.

2. **Discussion and Action**: **Proposal to add a Self-Help Center Attorney**. (Zerina Ocanovic)

   Deputy Juvenile Court Administrator Zerina Ocanovic presented a formal proposal requesting that a dedicated attorney from the Utah State Courts Self-Help Center be added to the Committee's membership. Ms. Ocanovic and Raymundo Gallardo highlighted that the Self-Help Center routinely assists court patrons, develops resources for self-represented litigants, and maintains public court forms. Mr. Gallardo recalled past instances where Self-Help Center attorneys provided valuable plain-language expertise to the Committee, including drafting the bilingual notice for Rule 18 and updating Rule 3 on court form captions.

   Ms. Ocanovic noted that a Self-Help Center attorney currently serves on the Supreme Court's Advisory Committee on the Utah Rules of Civil Procedure, where their participation has significantly enhanced form coordination, procedural consistency, and operational implementation across districts.

   Vice-Chair Russell voiced strong support, recalling his prior endorsement during the September meeting and comparing the proposal to the successful additions of a clerk of court and chief probation officer. Chair Johnson, Judge Debra Jensen, Ms. Hautamki, Lorelei Naegle, and Adrianna Davis also voiced strong support, emphasizing that self-represented parties represent a substantial portion of juvenile court filings.

   Stephen Starr inquired whether the Self-Help Center attorney representative should serve as a voting or non-voting member, raising a question regarding attendance consistency if substitute attorneys attended. Ms. Ocanovic clarified that one attorney from the Self-Help Center would be the primary designated representative, noting the attorney in mind possesses extensive juvenile law experience and currently staffs the juvenile court forms subcommittee.

   The Committee discussed the merits of full voting membership versus non-voting participation. Members agreed that granting full voting status establishes equal

standing with the Advisory Committee on the Rules of Civil Procedure, fosters long-term institutional commitment, and ensures consistent representation.

Judge Jensen made a motion to propose adding a Self-Help Center attorney to the Committee's membership. Ms. Hautamaki seconded the motion. The motion passed unanimously.

Alexa Arndt made a motion to recommend to the Utah Supreme Court that the Self-Help Center attorney be added as a formal voting member of the Committee. Ms. Davis seconded the motion. The motion passed unanimously.

3. **Discussion and Action**: **Rule 17**. **The petition**. (All)

The Committee engaged in an extensive discussion on proposed revisions to Rule 17, drafted by Erika Larsen, to address the impending operational impact of House Bill 540 (HB 540, 2026), effective January 1, 2027. HB 540 mandates that public juvenile delinquency records—specifically petitions, dispositional orders, and case history summaries for youth aged 14 and older charged with felony-level offenses—be made available online via xChange.

Ms. Larsen and Mr. Gallardo explained that Rule 17 currently requires delinquency petitions to include parents' names, home addresses, contact information, and victim details. However, Code of Judicial Administration (CJA) Rule 4-202.02 and Rule 58 classify this specific identifying information as private and protected records. If filed directly within delinquency petitions, court clerks or prosecuting attorneys would be forced to manually redact every public petition prior to xChange publication, creating an unmanageable administrative burden.

Ms. Larsen presented a draft creating a separate document—initially titled a "cover sheet"—to capture private demographic details upon filing. This mechanism stores private data securely in C.A.R.E., allowing the delinquency petition itself to remain a clean, public document for xChange publication without clerical redaction.

Juvenile Court Administrator Daniel Meza Rincón provided a crucial status update, reporting that court leadership is in active discussions with legislative sponsors regarding concerns raised by juvenile justice partners. Mr. Meza Rincón clarified that while implementation may be paused beyond January 1, 2027, the Committee should finalize rule revisions to ensure readiness whenever public access goes live.

Several members urged replacing the term "cover sheet" with "safeguarded document" or "safeguarded personal information sheet." They noted that "cover sheet" is an outdated relic of paper practice and that "safeguarded" aligns with modern terminology.

A brief discussion followed on whether clerks "may destroy" or "must destroy" the separate filing after C.A.R.E. data entry. A few members strongly advised against destroying the document, explaining that clerks and attorneys occasionally need to

re-examine original filings to resolve typographical errors or verify service details. Mr. Meza Rincón added that a document, once filed, is considered part of the court record, and it does not make sense to "destroy" the court record.

Several members expressed profound frustration regarding HB 540's broader policy impact. They warned that publishing felony petitions online publicly and permanently brands minors as felons on the internet—even if allegations are later dismissed or reduced to misdemeanors.

Members discussed whether private information could be captured via dedicated eFiling data fields in C.A.R.E. and eProsecutor rather than requiring an additional uploaded document.

Vice Chair Russell made a motion to table Rule 17 to allow staff and members to refine draft terminology, resolve document retention and eFiling data capture mechanics, and monitor legislative developments regarding HB 540 implementation. The motion passed unanimously (tabled by consensus).

4. **Discussion and Action**: **Rule 20**. **Discovery generally**. (All)

   Rule 20 was posted for public comment on July 23, 2026, with the comment period closing on September 8, 2026. Mr. Gallardo confirmed that no public comments were received.

   Vice Chair Russell made a motion to present Rule 20 to the Utah Supreme Court with a recommendation for final adoption and promulgation. Judge Jensen seconded the motion. The motion passed unanimously.

5. **Discussion and Action**: **Rule 23A**. **Hearing on factors of Utah Code section 80-6-503; bind over to district court**. (All)

   Rule 23A was posted for public comment on July 23, 2026, with the comment period closing on September 8, 2026. Mr. Gallardo confirmed that no public comments were received.

   Mr. Starr made a motion to present Rule 23A to the Utah Supreme Court with a recommendation for final adoption and promulgation. Tyler Ulrich seconded the motion. The motion passed unanimously.

6. **Rule 30**. **Citations**; **applicable offenses and procedures**; **bail**. (All)

   Vice Chair Russell led the discussion on his proposed comprehensive overhaul of Rule 30, designed to align juvenile court rules with the citation process authorized in Utah Code section 80-6-302 and remove obsolete references to "bail."

   Vice Chair Russell then reviewed the sequential structure of the proposed draft:

1. Citations for eligible offenses (wildlife, boating, and traffic violations; tobacco, curfew; and the Board of Juvenile Court Judge's list of citable offenses) are referred to probation for a preliminary inquiry.
2. If the minor is eligible and enters into a nonjudicial adjustment, successful compliance closes the matter.
3. If the minor declines, is ineligible, or fails to comply with a nonjudicial adjustment, the citation is referred to the prosecutor.
4. The prosecutor may commence formal proceedings on the citation or file a petition. In lieu of court appearance, the minor may then remit a fine determined by a sliding scale (Utah Code section 75E-2-207) with parent and court consent.

Vice Chair Russell explained that while adult criminal statute Utah Code section 77-7-21 treats fine remittance as a conviction (plea of no contest), Title 80 of the Juvenile Code is silent on whether paying a fine constitutes an adjudication or conviction. Nevertheless, members agreed that the proposed draft accurately reflects the statutory procedural steps without injecting unlegislated policy implications regarding legal consequences for minors who pay such fines.

Ms. Arndt made a motion to approve Rule 30 as revised and submit it to the Utah Supreme Court to be posted for public comment. Mr. Starr seconded the motion. The motion passed unanimously.

7. **Discussion and Action**: **Rule 29**. **Multiple county offenses**. (All)

The Committee reviewed proposed conforming amendments to Rule 29 necessitated by the Utah Supreme Court's adoption of revised Rule 16, effective September 23, 2026.

The Committee approved of the revisions, noting the draft harmonizes Rule 29 with revised Rule 16. Vice Chair Russell made a motion to approve Rule 29 as amended and submit it to the Utah Supreme Court to be posted for public comment. Ms. Ferrin seconded the motion. The motion passed unanimously.

8. **Discussion**: **New Rule 29B**. **Dismissal of allegations during or after trial**. (Bill Russell)

Vice Chair Russell introduced proposed new Rule 29B, modeled after Rule 17(o) of the Utah Rules of Criminal Procedure, to establish formal standards for defense motions to dismiss for legally insufficient evidence during or after a delinquency trial.

Key elements of Vice Chair Russell's proposal include:

- Paragraph (a) authorizes dismissal at the close of prosecution evidence or all evidence if evidence is legally insufficient.

- Paragraph (b) prohibits taking oral motions to dismiss under advisement, requiring a ruling before the defense presents its case.
- Paragraph (c) specifies that dismissals during or after trial are with prejudice.
- Paragraph (d) allows amending the petition to conform to evidence if a lesser included offense or different offense is proven.

Judge Jensen suggested revising paragraph (b) to clarify that the court must rule on an oral motion to dismiss before the defense presents its case, while allowing flexibility if trial pauses for the day prior to defense presentation.

Judge Jensen added that the court does not amend petitions, as suggested in paragraph (d). Judge Jensen suggested language that maintains judicial neutrality. If the prosecutor is who amends the petition, Mr. Gallardo recommended explicitly stating it is the prosecutor who will amend the petition.

Vice Chair Russell made a motion to table new Rule 29B and allow him to incorporate the Committee's suggested revisions. The motion passed unanimously (tabled by consensus).

9. Discussion: **New Rule 29C**. **Arrest of judgment**. (Bill Russell)

Vice Chair Russell introduced proposed new Rule 29C, modeled after Rule 23 of the Utah Rules of Criminal Procedure, establishing a motion to arrest judgment in delinquency proceedings for extraordinary post-adjudication anomalies prior to disposition.

The proposed rule would authorize the court, on its own motion or written defense motion filed before disposition, to arrest judgment if facts proved do not constitute a public offense, if a competency inquiry is filed, or for procedural or factual irregularities. Vice Chair Russell emphasized that while rarely invoked, Rule 29C provides essential procedural parity with adult criminal courts and a crucial stopgap before disposition.

Mr. Davis noted that while adult arrest of judgment motions are occasionally frivolous, having a clear rule for good-faith procedural anomalies is beneficial. Members agreed to review the draft further.

Vice Chair Russell made a motion to table new Rule 29C to allow members time to review the text and consult with colleagues. The motion passed unanimously (tabled by consensus).

10. Old business or new business. (All)

Mr. Gallardo noted the following updates on outstanding rules:

- Rule 12 and Rule 37A: Public comment closes October 13, 2026.

- Rule 7 and Rule 7A: Public comment closes on November 9, 2026.
- Rule 16 was adopted by the Utah Supreme Court effective September 23, 2026.

Ms. Naegle raised potential gaps in Rule 20A (non-delinquency discovery) regarding expert witness rebuttal disclosures, pretrial witness/exhibit disclosures, and explicit exemptions for expedited child protective order proceedings. James Smith noted ongoing discussions among Assistant Attorneys General regarding how civil discovery tiers (Rule 26.1 of the Utah Rules of Civil Procedure) apply in child welfare cases. Chair Johnson suggested Ms. Naegle and Mr. Smith to draft proposed amendments for Rule 20A and submit them to Mr. Gallardo for inclusion on a future meeting agenda.

The meeting adjourned at approximately 2:00 p.m. The next meeting will be held on November 6, 2026, via Webex.