

1 **Rule 1-205. Standing and Ad Hoc Committees.**

2 **Intent:**

3 To establish standing and ad hoc committees to assist the Council and provide recommendations
4 on topical issues.

5 To establish uniform terms and a uniform method for appointing committee members.

6 To provide for a periodic review of existing committees to assure that their activities are
7 appropriately related to the administration of the judiciary.

8 **Applicability:**

9 This rule shall apply to the internal operation of the Council.

10 **Statement of the Rule:**

11 (1) **Standing Committees.**

12 (1)(A) **Establishment.** The following standing committees of the Council are hereby
13 established:

14 (1)(A)(i) Technology Committee;

15 (1)(A)(ii) Uniform Fine ~~Schedule~~ Committee;

16 (1)(A)(iii) Ethics Advisory Committee;

17 (1)(A)(iv) Judicial Branch Education Committee;

18 (1)(A)(v) Court Facility Planning Committee;

19 (1)(A)(vi) Committee on Children and Family Law;

20 (1)(A)(vii) Committee on Judicial Outreach;

21 (1)(A)(viii) Committee on Resources for Self-represented Parties;

22 (1)(A)(ix) Language Access Committee;

23 (1)(A)(x) Guardian ad Litem Oversight Committee;

24 (1)(A)(xi) Committee on Model Utah Civil Jury Instructions;

25 (1)(A)(xii) Committee on Model Utah Criminal Jury Instructions;

26 (1)(A)(xiii) Committee on Pretrial Release and Supervision; and

27 (1)(A)(xiv) Committee on Court Forms; and

28 (1)(A)(xv) Committee on Judicial Fairness and Accountability.

29 (1)(B) **Composition.**

30 (1)(B)(i) The **Technology Committee** shall consist of:

31 (1)(B)(i)(a) one judge from each court of record;

- 32 (1)(B)(i)(b) one justice court judge;
- 33 (1)(B)(i)(c) one lawyer recommended by the Board of Bar Commissioners;
- 34 (1)(B)(i)(d) two court executives;
- 35 (1)(B)(i)(e) two court clerks; and
- 36 (1)(B)(i)(f) two staff members from the Administrative Office.
- 37 (1)(B)(ii) The **Uniform Fine ~~Schedule~~ Committee** performs the duties described
38 in rule 4-302 and shall consist of:
- 39 (1)(B)(ii)(a) one district court judge who has experience with a felony docket;
- 40 (1)(B)(ii)(b) three district court judges who have experience with a
41 misdemeanor docket; and
- 42 (1)(B)(ii)(c) four justice court judges.
- 43 (1)(B)(iii) The **Ethics Advisory Committee** performs the duties described in rule
44 3-109 and shall consist of:
- 45 (1)(B)(iii)(a) one judge from the Court of Appeals;
- 46 (1)(B)(iii)(b) one district court judge from Judicial Districts 2, 3, or 4;
- 47 (1)(B)(iii)(c) one district court judge from Judicial Districts 1, 5, 6, 7, or 8;
- 48 (1)(B)(iii)(d) one juvenile court judge;
- 49 (1)(B)(iii)(e) one justice court judge; and
- 50 (1)(B)(iii)(f) an attorney from either the Bar or a college of law.
- 51 (1)(B)(iv) The **Judicial Branch Education Committee** performs the duties
52 described in rule 3-403 shall consist of:
- 53 (1)(B)(iv)(a) one judge from an appellate court;
- 54 (1)(B)(iv)(b) one district court judge from Judicial Districts 2, 3, or 4;
- 55 (1)(B)(iv)(c) one district court judge from Judicial Districts 1, 5, 6, 7, or 8;
- 56 (1)(B)(iv)(d) one juvenile court judge;
- 57 (1)(B)(iv)(e) the education liaison of the Board of Justice Court Judges;
- 58 (1)(B)(iv)(f) one state level administrator;
- 59 (1)(B)(iv)(g) the Human Resource Management Director;
- 60 (1)(B)(iv)(h) one court executive;
- 61 (1)(B)(iv)(i) one juvenile court probation representative;
- 62 (1)(B)(iv)(j) two court clerks from different levels of court and different
63 judicial districts;
- 64 (1)(B)(iv)(k) one data processing manager; and
- 65 (1)(B)(iv)(l) one adult educator from higher education.

66 (1)(B)(iv)(m) The Human Resource Management Director and the adult
67 educator shall serve as non-voting members. The state level
68 administrator and the Human Resource Management Director
69 shall serve as permanent Committee members.

70 (1)(B)(v) The **Court Facility Planning Committee** performs the duties described
71 in rule 3-409 and shall consist of:

- 72 (1)(B)(v)(a) one judge from each level of trial court;
- 73 (1)(B)(v)(b) one appellate court judge;
- 74 (1)(B)(v)(c) the state court administrator;
- 75 (1)(B)(v)(d) a trial court executive;
- 76 (1)(B)(v)(e) two business people with experience in the construction or
77 financing of facilities; and
- 78 (1)(B)(v)(f) the court security director.

79 (1)(B)(vi) The **Committee on Children and Family Law** performs the duties
80 described in rule 4-908 and shall consist of:

- 81 (1)(B)(vi)(a) one Senator appointed by the President of the Senate;
- 82 (1)(B)(vi)(b) the Director of the Department of Human Services or designee;
- 83 (1)(B)(vi)(c) one attorney of the Executive Committee of the Family Law
84 Section of the Utah State Bar;
- 85 (1)(B)(vi)(d) one attorney with experience in abuse, neglect and dependency
86 cases;
- 87 (1)(B)(vi)(e) one attorney with experience representing parents in abuse,
88 neglect and dependency cases;
- 89 (1)(B)(vi)(f) one representative of a child advocacy organization;
- 90 (1)(B)(vi)(g) the ADR Program Director or designee;
- 91 (1)(B)(vi)(h) one professional in the area of child development;
- 92 (1)(B)(vi)(i) one mental health professional;
- 93 (1)(B)(vi)(j) one representative of the community;
- 94 (1)(B)(vi)(k) the Director of the Office of Guardian ad Litem or designee;
- 95 (1)(B)(vi)(l) one court commissioner;
- 96 (1)(B)(vi)(m) two district court judges; and
- 97 (1)(B)(vi)(n) two juvenile court judges.
- 98 (1)(B)(vi)(o) One of the district court judges and one of the juvenile court
99 judges shall serve as co-chairs to the committee. In its discretion

100 the committee may appoint non-members to serve on its
101 subcommittees.

102 (1)(B)(vii) The **Committee on Judicial Outreach** performs the duties described in
103 rule 3-114 and shall consist of:

- 104 (1)(B)(vii)(a) one appellate court judge;
- 105 (1)(B)(vii)(b) one district court judge;
- 106 (1)(B)(vii)(c) one juvenile court judge;
- 107 (1)(B)(vii)(d) one justice court judge; one state level administrator;
- 108 (1)(B)(vii)(e) a state level judicial education representative;
- 109 (1)(B)(vii)(f) one court executive;
- 110 (1)(B)(vii)(g) one Utah State Bar representative;
- 111 (1)(B)(vii)(h) one communication representative;
- 112 (1)(B)(vii)(i) one law library representative;
- 113 (1)(B)(vii)(j) one civic community representative; and
- 114 (1)(B)(vii)(k) one state education representative.
- 115 (1)(B)(vii)(l) Chairs of the Judicial Outreach Committee's subcommittees
116 shall also serve as members of the committee.

117 (1)(B)(viii) The **Committee on Resources for Self-represented Parties** performs
118 the duties described in rule 3-115 and shall consist of:

- 119 (1)(B)(viii)(a) two district court judges;
- 120 (1)(B)(viii)(b) one juvenile court judge;
- 121 (1)(B)(viii)(c) two justice court judges;
- 122 (1)(B)(viii)(d) three clerks of court – one from an appellate court, one from an
123 urban district and one from a rural district;
- 124 (1)(B)(viii)(e) one representative from ~~the Self-Help Center~~ social services
125 organization providing direct services to underserved
126 communities;
- 127 (1)(B)(viii)(f) one representative from the Utah State Bar;
- 128 (1)(B)(viii)(g) two representatives from legal service organizations that serve
129 low-income clients;
- 130 (1)(B)(viii)(h) one private attorney experienced in providing services to self-
131 represented parties;
- 132 (1)(B)(viii)(i) two law school representatives;
- 133 (1)(B)(viii)(j) the state law librarian; and

- 134 (1)(B)(viii)(k) two community representatives.
- 135 (1)(B)(ix) The **Language Access Committee** performs the duties described in
136 rule 3-306.02 and shall consist of:
- 137 (1)(B)(ix)(a) one district court judge;
- 138 (1)(B)(ix)(b) one juvenile court judge;
- 139 (1)(B)(ix)(c) one justice court judge;
- 140 (1)(B)(ix)(d) one trial court executive;
- 141 (1)(B)(ix)(e) one court clerk;
- 142 (1)(B)(ix)(f) one interpreter coordinator;
- 143 (1)(B)(ix)(g) one probation officer;
- 144 (1)(B)(ix)(h) one prosecuting attorney;
- 145 (1)(B)(ix)(i) one defense attorney;
- 146 (1)(B)(ix)(j) two certified interpreters;
- 147 (1)(B)(ix)(k) one approved interpreter;
- 148 (1)(B)(ix)(l) one expert in the field of linguistics; and
- 149 (1)(B)(ix)(m) one American Sign Language representative.
- 150 (1)(B)(x) The **Guardian ad Litem Oversight Committee** performs the duties
151 described in rule 4-906 and shall consist of:
- 152 (1)(B)(x)(a) seven members with experience in the administration of law and
153 public services selected from public, private and non-profit
154 organizations.
- 155 (1)(B)(xi) The **Committee on Model Utah Civil Jury Instructions** performs the
156 duties described in rule 3-418 and shall consist of:
- 157 (1)(B)(xi)(a) two district court judges;
- 158 (1)(B)(xi)(b) four lawyers who primarily represent plaintiffs;
- 159 (1)(B)(xi)(c) four lawyers who primarily represent defendants; and
- 160 (1)(B)(xi)(d) one person skilled in linguistics or communication.
- 161 (1)(B)(xii) The **Committee on Model Utah Criminal Jury Instructions** performs
162 the duties described in rule 3-418 and shall consist of:
- 163 (1)(B)(xii)(a) two district court judges;
- 164 (1)(B)(xii)(b) one justice court judge;
- 165 (1)(B)(xii)(c) four prosecutors;
- 166 (1)(B)(xii)(d) four defense counsel; and
167 ~~(1)(B)(xii)(e) one professor of criminal law; and~~

168 | ~~(1)(B)(xii)(f)~~(1)(B)(xii)(e) _____ one person skilled in linguistics or
 169 | communication.

170 | (1)(B)(xiii) The **Committee on Pretrial Release and Supervision** performs the
 171 | duties described in rule 3-116 and shall consist of:

- 172 | (1)(B)(xiii)(a) two district court judges;
- 173 | (1)(B)(xiii)(b) two justice court judges;
- 174 | (1)(B)(xiii)(c) one prosecutor;
- 175 | (1)(B)(xiii)(d) one defense attorney;
- 176 | (1)(B)(xiii)(e) one county sheriff;
- 177 | (1)(B)(xiii)(f) one representative of counties;
- 178 | (1)(B)(xiii)(g) one representative of a county pretrial services agency;
- 179 | (1)(B)(xiii)(h) one representative of the Utah Commission on Criminal and
 180 | Juvenile Justice;
- 181 | (1)(B)(xiii)(i) one commercial surety agent;
- 182 | (1)(B)(xiii)(j) one state senator;
- 183 | (1)(B)(xiii)(k) one state representative;
- 184 | (1)(B)(xiii)(l) the Director of the Indigent Defense Commission or designee;
- 185 | (1)(B)(xiii)(m) one representative of the Utah Victims' Council;
- 186 | (1)(B)(xiii)(n) one representative of a community organization actively
 187 | engaged in pretrial justice issues;
- 188 | (1)(B)(xiii)(o) one chief of police; and
- 189 | (1)(B)(xiii)(p) the court's general counsel or designee.

190 | (1)(B)(xiv) The **Committee on Court Forms** performs the duties described in rule
 191 | 3-117 and -shall consist of:

- 192 | (1)(B)(xiv)(a) ~~one two~~ district court judges;
- 193 | (1)(B)(xiv)(b) one court commissioner;
- 194 | (1)(B)(xiv)(c) one juvenile court judge;
- 195 | (1)(B)(xiv)(d) one justice court judge;
- 196 | (1)(B)(xiv)(e) one court clerk;
- 197 | (1)(B)(xiv)(f) one appellate court staff attorney;
- 198 | (1)(B)(xiv)(g) one representative from the Self-Help Center;
- 199 | (1)(B)(xiv)(h) the State Law Librarian;
- 200 | (1)(B)(xiv)(i) the ~~Court Services Director~~ district court administrator or
 201 | designee;

- 202 (1)(B)(xiv)(j) one representative from a legal service organization that
 203 serves low-income clients;
- 204 (1)(B)(xiv)(k) one paralegal;
- 205 (1)(B)(xiv)(l) one educator from a paralegal program or law school;
- 206 (1)(B)(xiv)(m) one person skilled in linguistics or communication; ~~and~~
 207 (1)(B)(xiv)(n) one representative from the Utah State Bar; and
 208 (1)(B)(xiv)(o) the LPP administrator.-
- 209 (1)(B)(xv) The **Committee on Fairness and Accountability** performs the duties
 210 described in rule 3-420. The committee shall include members who demonstrate an
 211 interest in, or who have experience with, issues of diversity, equity, and inclusion
 212 and shall consist of:
- 213 (1)(B)(xv)(a) one sitting judge;
 214 (1)(B)(xv)(b) three current or former judicial officers;
 215 (1)(B)(xv)(c) the General Counsel or designee; and
 216 (1)(B)(xv)(d) the Director of the Office of Fairness and Accountability.
- 217 (1)(C) **Standing committee chairs.** The Judicial Council shall designate the chair of each
 218 standing committee. Standing committees shall meet as necessary to accomplish
 219 their work. Standing committees shall report to the Council as necessary but a
 220 minimum of once every year. Except for the Committee on Judicial Fairness and
 221 Accountability, cCouncil members may not serve, participate or vote on standing
 222 committees. Standing committees may invite participation by others as they deem
 223 advisable, but only members designated by this rule may make motions and vote.
 224 All members designated by this rule may make motions and vote unless otherwise
 225 specified. Standing committees may form subcommittees as they deem advisable.
- 226 (1)(D) **Committee performance review.** At least once every six years, the Management
 227 Committee shall review the performance of each committee. If the Management
 228 Committee determines that committee continues to serve its purpose, the
 229 Management Committee shall recommend to the Judicial Council that the
 230 committee continue. If the Management Committee determines that modification of
 231 a committee is warranted, it may so recommend to the Judicial Council.
- 232 (1)(D)(i) Notwithstanding subsection (1)(D), the Guardian ad Litem Oversight
 233 Committee, recognized by Section 78A-6-901, shall not terminate.
- 234 (2) **Ad hoc committees.** The Council may form ad hoc committees or task forces to consider
 235 topical issues outside the scope of the standing committees and to recommend rules or

236 resolutions concerning such issues. The Council may set and extend a date for the
237 termination of any ad hoc committee. The Council may invite non-Council members to
238 participate and vote on ad hoc committees. Ad hoc committees shall keep the Council
239 informed of their activities. Ad hoc committees may form sub-committees as they deem
240 advisable. Ad hoc committees shall disband upon issuing a final report or recommendations
241 to the Council, upon expiration of the time set for termination, or upon the order of the
242 Council.

243 (3) **General provisions.**

244 (3)(A) **Appointment process.**

245 (3)(A)(i) **Administrator's responsibilities.** The state court administrator shall
246 select a member of the administrative staff to serve as the administrator
247 for committee appointments. Except as otherwise provided in this rule,
248 the administrator shall:

249 (3)(A)(i)(a) announce expected vacancies on standing committees two
250 months in advance and announce vacancies on ad hoc
251 committees in a timely manner;

252 (3)(A)(i)(b) for new appointments, obtain an indication of willingness to serve
253 from each prospective appointee and information regarding the
254 prospective appointee's present and past committee service;

255 (3)(A)(i)(c) for reappointments, obtain an indication of willingness to serve
256 from the prospective reappointee, the length of the prospective
257 reappointee's service on the committee, the attendance record of
258 the prospective reappointee, the prospective reappointee's
259 contributions to the committee, and the prospective reappointee's
260 other present and past committee assignments; and

261 (3)(A)(i)(d) present a list of prospective appointees and reappointees to the
262 Council and report on recommendations received regarding the
263 appointment of members and chairs.

264 (3)(A)(ii) **Council's responsibilities.** The Council shall appoint the chair of each
265 committee. Whenever practical, appointments shall reflect geographical,
266 gender, cultural and ethnic diversity.

267 (3)(B) **Terms.** Except as otherwise provided in this rule, standing committee members
268 shall serve staggered three year terms. Standing committee members shall not
269 serve more than two consecutive terms on a committee unless the Council

270 determines that exceptional circumstances exist which justify service of more than
271 two consecutive terms.

272 (3)(C) **Expenses.** Members of standing and ad hoc committees may receive
273 reimbursement for actual and necessary expenses incurred in the execution of their
274 duties as committee members.

275 (3)(D) **Secretariat.** The Administrative Office shall serve as secretariat to the Council's
276 committees.

277 | Effective ~~May~~*November* 1, ~~2022~~*21*