

1 Rule 11-107 Open and Public Meetings

2 Intent:

3 To establish procedures for the Supreme Court's committees to conduct open and  
4 public meetings.

5 To establish procedures consistent with the philosophy of the Utah Open and Public  
6 Meetings Act.

7 To provide the Supreme Court with sufficient flexibility to close meetings when  
8 discussing matters of a sensitive nature.

9 Applicability:

10 This rule shall apply to Supreme Court advisory committees, ad hoc committees, and  
11 oversight committees. This rule does not apply to the Supreme Court's Ethics and  
12 Discipline Committee, the Supreme Court's Professionalism and Civility Counseling  
13 Board, or committees of the Utah State Bar.

14 Statement of the Rule:

15 (a) Public notice of meetings. Each Supreme Court committee must post their annual  
16 meeting schedule. At least 24 hours before each meeting, the committee must post on its  
17 website the meeting agenda and location. If the meeting will be held virtually, the  
18 committee must post the link to join at least 24 hours before each meeting.

19 (b) Open meetings. Meetings of Supreme Court committees are open to the public  
20 unless closed as provided in this section.

21 (c) Prohibition on closing specific meetings. The following Supreme Court committees  
22 must hold only open meetings:

23 \_\_\_\_\_ (1) the Advisory Committee on the Rules of Appellate Procedure;

24 \_\_\_\_\_ (2) the Advisory Committee on the Rules of Civil Procedure;

25 \_\_\_\_\_ (3) the Advisory Committee on the Rules of Criminal Procedure;

26 \_\_\_\_\_ (4) the Advisory Committee on the Rules of Evidence;

27 \_\_\_\_\_ (5) the Advisory Committee on the Rules of Juvenile Procedure; and

28 \_\_\_\_\_ (5) the Advisory Committee on the Rules of Professional Conduct.

29 (d) Reasons for closed meetings. Supreme Court committees may close an otherwise  
30 open meeting:

31 \_\_\_\_\_ (1) to discuss legal advice of counsel;

32 (2) to discuss an individual's character, professional competence, or physical or  
33 mental health;

34 (3) to discuss applications containing private information;

35 (4) to discuss information that is designated as a trade secret; or

36 (5) for any other allowable reason found in the Open and Public Meetings Act, or  
37 Rule 2-103 of the Code of Judicial Administration;

38 (e) Limit on actions at a closed meeting. No contract, appointment, rule, application, or  
39 resolution may be approved at a closed committee meeting. A contract, appointment,  
40 rule, application, or resolution approved at an open meeting may be based upon  
41 discussions had at a closed meeting.

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43 Comment

44 Supreme Court Committees

45 [1] Supreme Court Committees include:

46 (a) the Advisory Committee on the Rules of Appellate Procedure

47 (b) the Advisory Committee on the Rules of Civil Procedure

48 (c) the Advisory Committee on the Rules of Criminal Procedure

49 (d) the Advisory Committee on the Rules of Evidence

50 (e) the Advisory Committee on the Rules of Juvenile Procedure

51 (f) the Advisory Committee on the Rules of Professional Conduct

52 (g) the Board of Mandatory Continuing Legal Education

53 (h) the Ethics and Discipline Committee

54 (i) the Licensed Paralegal Practitioner Committee

55 (j) the Legal Services Innovation Committee

56 (k) the Oversight Committee for the Office of Professional Conduct

57 (l) the Professionalism and Civility Counseling Board

58 (m) the Standing Committee on Appellate Representation

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Effective, February 22, 2023

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