

1 **Rule 3-403. Judicial branch education.**

2

3 **Intent:**

4 | To establish the Judicial Branch Education Committee's ("Committee") responsibility to develop  
5 and evaluate a comprehensive education program for all ~~judges, commissioners~~ **judicial officers**  
6 and court staff.

7

8 To establish education standards for ~~judges, commissioners~~ **judicial officers** and court staff,  
9 including provisions for funding and accreditation for educational programs.

10

11 To ensure that education programs, including opportunities for job orientation, skill and  
12 knowledge acquisition, and professional and personal development, are available to all  
13 members of the judicial branch and that such programs utilize the principles of adult education  
14 and focus on participative learning.

15

16 To emphasize the importance of participation by all judicial branch employees in education and  
17 training as an essential component in maintaining the quality of justice in the Utah courts.

18

19 **Applicability:**

20 This rule shall apply to all ~~judges, commissioners~~ **judicial officers** and court staff, except  
21 seasonal employees and law clerks.

22

23 **Statement of the Rule:**

24 (1) **Organization.**

25

26 | (1)(A) **Judicial branch education committee.** The ~~Judicial Branch Education~~  
27 Committee shall submit to the Council for approval proposed policies, standards,  
28 guidelines, and procedures applicable to all judicial branch education activities. It  
29 shall evaluate and monitor the quality of educational programs and make  
30 changes where appropriate within the approved guidelines for funding,  
31 attendance, and accreditation.

32

33 (1)(B) **Responsibilities of members.** Committee members shall propose  
34 policies and procedures for developing, implementing, and evaluating orientation,  
35 continuing skill development, and career enhancement education opportunities  
36 for all judicial branch employees; formulate an annual education plan and  
37 calendar consistent with the judicial branch education budget; and serve as  
38 advocates for judicial branch education, including educating the judiciary about  
39 the purpose and functions of the Committee.

40

41 (1)(C) **Committee meetings.**

42 (1)(C)(i) The Committee shall meet twice a year. Additional meetings may  
 43 be called as necessary. A majority of voting members in attendance is  
 44 required for official Committee action.

45 (1)(C)(ii) The chairperson may recommend to the Council that a  
 46 Committee member be replaced if that member is absent without excuse  
 47 from two consecutive Committee meetings or fails to meet the  
 48 responsibilities of membership as outlined in paragraph (1)(B).

49  
 50 **(2) Administration.**

51  
 52 **Judicial Education Officer.** The Judicial Education Officer, under the direction of the Court  
 53 Administrator, shall serve as staff to the Committee and be responsible for the administration of  
 54 the judicial education program consistent with this rule.

55  
 56 **(3) Education Standards for ~~judges and court commissioners~~ judicial officers.**

57  
 58 **(3)(A) ~~Program r~~Requirements for judicial officers (judges, court commissioners,**  
 59 **active senior judges and active senior justice court judges).**

60  
 61 **(3)(A)(i) ~~All judges and court commissioners~~ new judicial officers** shall participate  
 62 in the first designated orientation program offered after the date the judge is  
 63 administered the oath of office, unless attendance is excused for good cause by  
 64 the Management Committee.

65  
 66 All ~~judges, court commissioners, active senior judges, and active senior justice~~  
 67 ~~court judges~~ **judicial officers shall** complete 30 hours of pre-approved education  
 68 annually, to be implemented on a schedule coordinated by the Committee. **To**  
 69 **satisfy annual program requirements judicial officers will complete training on**  
 70 **harassment and abusive conduct prevention; ethics; inclusion and elimination of**  
 71 **bias.**

72  
 73 ~~Judges of courts of record and court commissioners~~ **Judicial officers** may attend a  
 74 combination of approved local, state, or national programs. Active and inactive  
 75 senior judges and retired judges may attend approved local or state programs  
 76 and the annual ~~Utah J~~ **Utah Judicial c**Conference, but an inactive senior judge or retired  
 77 judge must pay all expenses.

78  
 79 **(3)(A)(ii) Active senior judge.** If an active senior judge applies to be reappointed  
 80 and will have completed at least 60 total education hours in the two years  
 81 preceding the effective date of reappointment, the Management Committee may,  
 82 for good cause shown, excuse the judge from having to complete the annual 30  
 83 hour education requirement.

84

85 (3)(A)(iii) **Inactive senior judges and retired judges.** If an inactive senior judge  
86 or a retired judge applies to be an active senior judge, the judge shall  
87 demonstrate that:

88 (3)(A)(iii)(a) less than three years has passed since he or she last  
89 complied with the continuing education requirements of an active  
90 senior judge;

91  
92 (3)(A)(iii)(b) he or she has complied with the MCLE requirements  
93 of the Utah State Bar for at least three years before the  
94 application;

95  
96 (3)(A)(iii)(c) he or she has attended 30 hours of approved judicial  
97 education within one year before the application; or

98  
99 (3)(A)(iii)(d) he or she has attended the new judge orientation for  
100 judges of the courts of record within one year before the  
101 application.  
102

103 (3)(B) **Program components.** Education programs for ~~judges and court commissioners~~  
104 ~~judicial officers~~ shall include: a mandatory new judge orientation program; a variety of  
105 programs addressing substantive and procedural law topics, aimed at skill and  
106 knowledge acquisition; and programs geared to professional and personal development,  
107 to meet the continuing needs of ~~judges and court commissioners over the long term.~~  
108 ~~judicial officers.~~  
109

110 (3)(C) **Annual conferences.** Justice court judges and active senior justice court judges  
111 shall attend the annual justice court conference unless excused by the Board of Justice  
112 Court Judges for good cause. Because the annual judicial conference represents the  
113 only opportunity for judges to meet and interact as a group and to elect their  
114 representatives, ~~judges, active senior judges and court commissioners of the courts of~~  
115 ~~record judicial officers~~ are strongly encouraged to attend that conference.  
116

#### 117 (4) **Standards for court staff.**

##### 118 (4)(A) **State employees.**

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120  
121 (4)(A)(i) **Program requirements.** All court staff employed by the state shall  
122 complete 20 hours of approved coursework annually. ~~To satisfy annual program~~  
123 ~~requirements state employees must complete training on harassment and~~  
124 ~~abusive conduct prevention; ethics; inclusion and elimination of bias.~~  
125

126 (4)(A)(ii) **Program components.** Education programs for court staff employed by  
127 the state shall include: ~~on-the-job orientation onboarding~~ for new employees as  
128 well as ~~semi-annual Orientation Academies new employee orientation~~; skill

129 development programs that teach technical and job-related competencies; and  
130 enhancement programs that promote personal and professional growth within the  
131 organization.

132

133 (4)(B) **Local government employees.**

134

135 (4)(B)(i) **Program requirements.** All court staff employed by the justice courts  
136 shall complete 10 hours of approved coursework annually. ~~All other court staff~~  
137 ~~employed by local government shall complete 20 hours of approved coursework~~  
138 ~~annually.~~

139

140 (4)(B)(ii) **Program components.** Education programs for court staff employed by  
141 local government shall include: annual training seminar; skill development  
142 programs that teach technical and job-related competencies; and enhancement  
143 programs that promote personal and professional growth. ~~Professional and~~  
144 ~~personal development programs may include training on harassment and~~  
145 ~~abusive conduct prevention; ethics; inclusion and elimination of bias.~~

146

147 (5) **Reporting.**

148

149 (5)(A) ~~Judges, commissioners~~ **Judicial officers** and court staff governed by these  
150 standards shall report participation in education programs on a form developed by the  
151 Committee.

152

153 (5)(B) For court staff, compliance with judicial branch education standards shall be a  
154 performance criterion in the evaluation of all staff.

155 (5)(B)(i) Supervisory personnel are responsible to ensure that all staff have an  
156 opportunity to participate in the required education. Failure of a supervisor to  
157 meet the minimum education standards or to provide staff with the opportunity to  
158 meet minimum education standards will result in an unsatisfactory performance  
159 evaluation in the education criterion.

160

161 (5)(B)(ii) Failure of staff to meet the minimum education requirements will result  
162 in an unsatisfactory evaluation on the education criterion unless the employee  
163 provides documented reasons that the employee's failure to meet the education  
164 standards is due to reasons beyond the employee's control.

165

166 (6) **Credit.** Judicial education procedures shall include guidelines for determining which  
167 programs qualify as approved education within the meaning of these standards.

168

169 (7) **Funding.**

170

171 (7)(A) **Budget.** In preparing its annual request for legislative appropriations, the Council  
172 shall receive and consider recommendations from the Committee. The Committee's

173 annual education plan shall be based upon the Council's actual budget allocation for  
174 judicial education.

175

176 (7)(B) **In-state education programs.** Judicial branch funds allocated to in-state judicial  
177 education shall first be used to support mandatory in-state orientation programs for all  
178 judicial branch employees and then for other education priorities as established by the  
179 Committee with input from the Boards of Judges and Administrative Office.

180

181 (7)(C) **Out-of-state education programs.** To provide for diverse educational  
182 development, to take advantage of unique national opportunities, and to utilize education  
183 programs which cannot be offered in-state, the annual education plan shall include out-  
184 of-state education opportunities. The Committee shall approve national education  
185 providers and shall include in the education procedures, criteria to be applied by the  
186 Administrative Office to out-of-state education requests. Criteria shall include relevance  
187 to the attendee's current assignment and attendance at in-state programs.

188 Disagreement with a decision to deny an out-of-state education request may be  
189 reviewed by a quorum of the Committee at the applicant's request.

190

191 (7)(D) **Tuition, fees, and travel.** The Committee shall develop policies and procedures  
192 for paying tuition, fees, per diem, and travel for approved programs. State funds cannot  
193 be used to pay for discretionary social activities, recreation, or spouse participation. The  
194 Committee may set financial limits on reimbursement for attendance at elective  
195 programs, with the individual participant personally making up the difference in cost  
196 when the cost exceeds program guidelines.

197

198 (8) **Mentoring.**

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200 (8)(A) Within seven business days after a new district or juvenile judge has been sworn  
201 in, the Presiding Judge shall appoint a mentor to the new judge.

202

203 (8)(B) Within fourteen business days after a new district or juvenile judge has been  
204 sworn in, the mentor and the new judge shall meet and review the Judicial Mentoring  
205 Guidelines and Best Practices Recommendations, complete the Mentors' Checklist  
206 contained therein and the mentor, within that same fourteen business day period, shall  
207 provide the completed Mentor's Checklist to the Judicial Education Officer.

208

209 | Effective: ~~May~~November 1, 2023<sup>30</sup>