

1 **Rule 11-101. Creation and Composition of Supreme Court Committees.**

2 *Effective: 7/9/2021*

3 **Intent:**

4 To establish Supreme Court committees and procedures to govern those committees.

5 **Applicability:**

6 This rule ~~will shall~~ apply to the Supreme Court, the Administrative Office of the Courts, and
7 the Supreme Court committees.

8 **Statement of the Rule:**

9 (1) **Establishment of committees.** There is hereby established a Supreme Court advisory
10 committee in each of the following areas: [business and chancery court procedure](#), civil
11 procedure, criminal procedure, juvenile court procedure, appellate procedure, evidence,
12 and the rules of professional conduct. The Supreme Court may establish ad hoc or oversight
13 committees. The Supreme Court ~~will shall~~ designate a liaison to each committee.

14 (2) **Composition of committees.** The Supreme Court ~~shall will~~ determine the size of each
15 committee based upon the workload of the individual committees. The committees should
16 be broadly representative of the legal community and should include practicing lawyers,
17 academicians, and judges. Members should possess expertise within the committee's
18 jurisdiction. A committee may also have up to two nonvoting emeritus members. An
19 emeritus member has the same authority and duties as other committee members, except
20 that such member ~~will shall~~ have no authority to vote. An emeritus member may serve two
21 terms in addition to the terms served as a member.

22 (3) **Application and recruitment of committee members.** Vacancies on the advisory
23 committees ~~will shall~~ be announced in a manner reasonably calculated to reach members
24 of the Utah State Bar. The notice ~~will shall~~ specify the name of the committee that has the
25 vacancy, a brief description of the committee's responsibilities, the method for submitting
26 an application or letter of interest, and the application deadline. Members of the
27 committees or the Supreme Court may solicit applications for membership on the
28 committees. Applications and letters of interest ~~will shall~~ be submitted to the Supreme
29 Court.

30 (4) **Appointment of advisory committee members and chair.** Upon expiration of the
31 application deadline, the Supreme Court ~~will shall~~ review the applications and letters of
32 interest and appoint those individuals who are best suited to serve on the committee.

33 [Members will be appointed to serve staggered three-year terms, unless the Supreme Court](#)
34 [determines that terms of less than three years are appropriate for the needs of the committee.](#)

35 ~~Members shall be appointed to serve staggered three-year terms.~~ In the event of a mid-
36 term vacancy the Supreme Court ~~will shall~~ appoint a new member to serve for the
37 remainder of the term. The Supreme Court ~~will shall~~ select a chair from among the
38 committee's members. The Supreme Court may select a vice-chair from among the
39 committee's members. No member may serve more than two full consecutive terms on the
40 committee unless appointed by the Supreme Court as the committee chair, vice-chair, or
41 when justified by special circumstances, such as an academician or court staff attorney.
42 Generally, members appointed as chair or vice-chair may serve only one term in each

43 leadership position, not to exceed two additional terms. Judges who serve as members of
44 the committees generally ~~will~~ shall not be selected as chairs. Committee members ~~will~~ shall
45 serve as officers of the court and not as representatives of any client, employer, or other
46 organization or interest group. At the first meeting of a committee in any calendar year, and
47 at every meeting at which a new member of the committee first attends, each committee
48 member ~~will~~ shall briefly disclose the general nature of his or her legal practice.

49 (5) **Absences.** In the event that a committee member fails to attend three committee
50 meetings during a calendar year, the chair may notify the Supreme Court of those absences
51 and may request that the Supreme Court replace that committee member.

52 (6) **Administrative assistance.** The Administrative Office of the Courts ~~will~~ shall
53 coordinate staff support to each committee, including the assistance of the Office of General
54 Counsel in research and drafting and the coordination of secretarial support and
55 publication activities.

56 (7) **Recording secretaries.** A committee chair may appoint a third-year law student, a
57 member of the Bar in good standing, or a legal secretary to serve as a recording secretary
58 for the committee. The recording secretary ~~will~~ shall attend and take minutes at committee
59 meetings, provide research and drafting assistance to committee members and perform
60 other assignments as requested by the chair.

61 [Effective 6/28/23](#)