

1 **Rule 1. General provisions.**

2 **(a) Applicability of rules.** These rules govern the procedure in all actions in the business
3 and chancery court of the state of Utah, whether cognizable at law or in equity, except as
4 governed by other rules promulgated by this court or statutes enacted by the Legislature.
5 These rules govern all actions brought after they take effect and all further proceedings
6 in actions then pending. If, in the opinion of the court, applying a rule in an action
7 pending when the rule takes effect would not be feasible or would be unjust, the former
8 procedure applies.

9 **(b) Title.** These rules are known and may be cited as the Utah Rules of Business and
10 Chancery Procedure. These rules may be abbreviated as U.R.B.C.P.

11 **(c) Applicability of Utah Rules of Civil Procedure.** The Utah Rules of Civil Procedure
12 apply in the business and chancery court except where:

13 (1) There is a rule of the same number in the Utah Rules of Business and Chancery
14 Procedure; or

15 (2) The Utah Rules of Business and Chancery Procedure exclude the application of
16 these rules by specific rule number as set forth in Appendix A to these rules.

17 **(d) Reference to "court."** Unless otherwise noted, the use of "court" in these rules means
18 the business and chancery court of the state of Utah.

19 **(e) Interpretation of rules.** These rules will be liberally construed and applied to achieve
20 the just, speedy, and inexpensive determination of every action.

21 **(f) Citation to court decisions.** This court's decisions (whether reported or unreported)
22 may be cited by parties as persuasive authority. A party citing a decision of this court
23 must provide a copy of the decision to the other parties and the court when it is cited.

24 **Advisory Committee Note**

25 These rules were drafted using the Utah Rules of Civil Procedure as their base line. Thus,
26 where the Committee determined that the Rules of Civil Procedure were adequate for the

27 Business and Chancery Court, these rules simply incorporate them by reference rather
28 than repeat the identical language. For example, although these rules include significant
29 modifications to Utah Rule of Civil Procedure 26, necessitating a distinct Rule 26 for the
30 Business and Chancery Court, the Committee concluded that Utah Rule of Civil
31 Procedure 37, including its mechanisms for enforcing the parties' discovery obligations
32 under Rule 26, could be adopted into these rules without modification and is therefore
33 incorporated by reference.