

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

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3 **Intent:**

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

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

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

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

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18 **Applicability:**

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

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22 **Statement of the Rule:**

23 (1) **Organization.**

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

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

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

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

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

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51 **Judicial Education Officer.** The Judicial Education Officer, under the direction of the Court  
52 Administrator, shall serve as staff to the Committee and be responsible for the administration of  
53 the judicial education program consistent with this rule.  
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55 **(3) ~~Education Sstandards for judges and court commissioners~~ ~~judicial officers.~~**

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

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

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

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

78 **(3)(A)(ii) Active senior judge.** If an active senior judge applies to be reappointed  
79 and will have completed at least 60 total education hours in the two years  
80 preceding the effective date of reappointment, the Management Committee may,  
81 for good cause shown, excuse the judge from having to complete the annual 30  
82 hour education requirement.  
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84 **(3)(A)(iii) Inactive senior judges and retired judges.** If an inactive senior judge  
85 or a retired judge applies to be an active senior judge, the judge shall  
86 demonstrate that:

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

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

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

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98 (3)(A)(iii)(d) he or she has attended the new judge orientation for  
99 judges of the courts of record within one year before the  
100 application.  
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102 (3)(B) **Program components.** Education programs for ~~judges and court commissioners~~  
103 ~~judicial officers~~ shall include: a mandatory new judge orientation program; a variety of  
104 programs addressing substantive and procedural law topics, aimed at skill and  
105 knowledge acquisition; and programs geared to professional and personal development,  
106 to meet the continuing needs of ~~judges and court commissioners over the long term.~~  
107 ~~judicial officers.~~  
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109 (3)(C) **Annual conferences.** Justice court judges and active senior justice court judges  
110 shall attend the annual justice court conference unless excused by the Board of Justice  
111 Court Judges for good cause. Because the annual judicial conference represents the  
112 only opportunity for judges to meet and interact as a group and to elect their  
113 representatives, ~~judges, active senior judges and court commissioners of the courts of~~  
114 ~~record judicial officers~~ are strongly encouraged to attend that conference.  
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#### 116 (4) **Standards for court staff.**

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

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119 (4)(A)(i) **Program requirements.** All court staff employed by the state shall  
120 complete 20 hours of approved coursework annually. ~~To satisfy annual program~~  
121 ~~requirements state employees must complete training on harassment and~~  
122 ~~abusive conduct prevention; ethics; inclusion and elimination of bias.~~  
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125 (4)(A)(ii) **Program components.** Education programs for court staff employed by  
126 the state shall include: ~~on-the-job-orientation onboarding~~ for new employees as  
127 well as ~~semi-annual Orientation Academies new employee orientation~~; skill  
128 development programs that teach technical and job-related competencies; and  
129 enhancement programs that promote personal and professional growth within the  
130 organization.

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

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

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

(5) **Reporting.**

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

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

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

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

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

(7) **Funding.**

(7)(A) **Budget.** In preparing its annual request for legislative appropriations, the Council shall receive and consider recommendations from the Committee. The Committee's annual education plan shall be based upon the Council's actual budget allocation for judicial education.

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

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

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

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197 (8) **Mentoring.**

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

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

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208 | *Effective: May/November 1, 202\_0*