

1 **Rule 11-107 Open and Public Meetings**

2 *Effective: 2/22/2023*

3 Intent:

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

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

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

10 Applicability:

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

15 Statement of the Rule:

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

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

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

24 (1) the Advisory Committee on the Rules of Appellate Procedure;

25 (2) the Advisory Committee on the Rules of Business and Chancery Procedure;

26 ~~(32)~~ the Advisory Committee on the Rules of Civil Procedure;

27 ~~(43)~~ the Advisory Committee on the Rules of Criminal Procedure;

28 ~~(54)~~ the Advisory Committee on the Rules of Evidence;

29 ~~(65)~~ the Advisory Committee on the Rules of Juvenile Procedure; and

30 ~~(75)~~ the Advisory Committee on the Rules of Professional Conduct.

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

33 (1) to discuss legal advice of counsel;

- 34 (2) to discuss an individual's character, professional competence, or physical or mental
35 health;
- 36 (3) to discuss applications containing private information;
- 37 (4) to discuss information that is designated as a trade secret; or
- 38 (5) for any other allowable reason found in the Open and Public Meetings Act, or Rule 2-
39 103 of the Code of Judicial Administration;
- 40 (e) Limit on actions at a closed meeting. No contract, appointment, rule, application, or
41 resolution may be approved at a closed committee meeting. A contract, appointment, rule,
42 application, or resolution approved at an open meeting may be based upon discussions had
43 at a closed meeting.

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45 Comment

46 Supreme Court Committees

47 [1] Supreme Court Committees include:

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

49 ~~(b) the Advisory Committee on the Rules of Business and Chancery Procedure~~

50 ~~(c)~~ the Advisory Committee on the Rules of Civil Procedure

51 ~~(d)~~ the Advisory Committee on the Rules of Criminal Procedure

52 ~~(e)~~ the Advisory Committee on the Rules of Evidence

53 ~~(f)~~ the Advisory Committee on the Rules of Juvenile Procedure

54 ~~(g)~~ the Advisory Committee on the Rules of Professional Conduct

55 ~~(h)~~ the Board of Mandatory Continuing Legal Education

56 ~~(i)~~ the Ethics and Discipline Committee

57 ~~(j)~~ the Licensed Paralegal Practitioner Committee

58 ~~(k)~~ the Legal Services Innovation Committee

59 ~~(l)~~ the Oversight Committee for the Office of Professional Conduct

60 ~~(m)~~ the Professionalism and Civility Counseling Board

61 ~~(n)~~ the Standing Committee on Appellate Representation

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