

**UTAH SUPREME COURT ADVISORY COMMITTEE
ON THE RULES OF EVIDENCE**

MEETING MINUTES

**January 13, 2026
5:15 p.m.-7:15 p.m.
Via Webex**

<u>MEMBERS PRESENT</u>	<u>MEMBERS EXCUSED</u>	<u>GUESTS</u>	<u>STAFF</u>
Nicole Salazar-Hall David Billings Wendy Brown Clint Heiner Hon. Linda Jones Nathan Lyon Scott Lythgoe Ryan McBride Hon. Richard McKelvie Benjamin Miller Hon. Coral Sanchez Hon. Rick Westmoreland Dallas Young	Teneille Brown Sarah Carlquist Adam Merrill Andres Morelli Rachel Sykes		Jace Willard

1. Welcome and Approval of Minutes

Ms. Salazar-Hall welcomed everyone to the meeting. The November meeting minutes were approved.

2. Update: URE 404, 408, 510

Ms. Salazar-Hall noted that the Supreme Court has given final approval to the Committee's proposed amendments to each of the above rules.

3. Discussion: URE 107 and 1006

Ms. Salazar-Hall indicated that the Court also looked favorably on the Committee's proposed amendments to Rule 1006, but approval to publish those amendments for public comment will not be given until a related new Rule 107 is also ready to be published. As to Rule 107, the Court primarily expressed concern about the length and instructional tone of the proposed Committee note. The Committee reviewed a revised draft Committee note prepared by Mr.

Willard with AI assistance. The Committee generally supported the revised draft as responsive to the Court's concerns. However, one sentence, drawn largely from the Committee's prior draft note, was flagged due to concerns about its accuracy: "Thus, illustrative aids are not subject to the hearsay rules, authentication requirements, and other evidentiary screens." The Committee voted to approve the revised draft with that sentence removed. Mr. Willard will circulate the new draft Rule 107 to the other committees whose rules are referenced at the end of the draft note. When all of those committees have prepared any appropriate related draft revisions for their rules, it is anticipated that all such proposed changes will be submitted together to the Court for approval.

4. Discussion: URE 702

Ms. Salazar-Hall advised that the Court also returned draft revisions to Rule 702, asking that the Committee prepare a note to explain the proposed amendments aimed at the admissibility of blind expert testimony, as well as to explain whether lines 69-70 (on the redline draft) of the original Committee note for this rule are still accurate. The Rule 702 Subcommittee (comprised of Msrs. Heiner, Morelli, Miller, Lythgoe, McBride, and Young) will prepare the requested draft.

5. Update: URE 804 and 807

Per the Committee's prior recommendations, proposed amendments for the above rules will be going to the Supreme Court for approval to go out for public comment. The Court has disapproved of language in Committee notes indicating that changes are made "in conformity with" amendments to the federal rules, so such language will be removed when these rules go up.

6. Requested Update re Historical Rules on Court Website

Mr. Young noted that he has previously requested that the courts add a feature to their website to permit convenient access to historical versions of court rules, similar to what is done with the code on the legislature's site. Mr. Willard indicated that the request has been submitted. He will follow up on the status of that request.

ADJOURN:

With no further items to discuss, Ms. Salazar-Hall adjourned the meeting. The next meeting will be held on February 10, 2026, beginning at 5:15 pm, via Webex Webinar video conferencing.