

PUBLIC NOTICE
CONFLICT OF INTEREST
Judge Monica Diaz-Perng

September 30, 2021

Purpose of Notice: Under Code of Judicial Conduct [Rule 2.11\(2\)\(c\)](#), judges are disqualified from presiding over proceedings in which a lawyer in the proceeding supervises, or is supervised by, individuals related to or having certain relationships with the judge. That disqualification requirement is eliminated if the entity that employs the judge's family member removes the lawyer from the family member's line of supervision. Judges are encouraged to publicly post the actions taken by the entity that employs the judge's family member to eliminate the conflict ([Rule 2.11\(C\)](#)).

Conflict: Judge Monica Diaz-Perng's step-mother, Kristin Fadel, is the managing attorney for the Third District, Salt Lake City and Tooele Offices of Guardian Ad Litem & CASA ("GAL Offices").

Actions taken to eliminate the conflict: The GAL Offices established a conflict screen between three offices within the GAL Offices: the Third District, Salt Lake City Office, the Third District, Tooele Office, and the Third District, West Jordan Office. For purposes of these screens, Kristin Fadel, Managing Attorney, shall supervise and be considered a member of the Third District Salt Lake City Office and Tooele Office. Cheri Stringham, Managing Attorney, shall supervise and be considered a member of the Third District, West Jordan Office.

In order to maintain an effective screen, the following procedures shall be implemented immediately:

Communication Forbidden. No member of a screened office may communicate with anyone outside that office concerning a case assigned to Judge Diaz-Perng, except to the extent that any such communication would be clearly permissible with opposing counsel in the matter, such as giving the status of the case or other publicly available information.

Communication with persons not screened off by this memo. No consultation with an employee of the GAL Offices who is not on either side of the screen described herein, or with any other person, shall occur without first providing a copy of the internal screening memo to the person being consulted, and advising the person that he or she is thereafter on the same side of the screen as the person consulting with them. If a person not initially screened is later consulted, this screen shall be amended to reflect the updated list of screened persons and distributed.

Sequestration of Physical Files. Each screened office shall keep its physical files relating to cases assigned to Judge Diaz-Perng confidential from other employees of the conflicted office.

Sequestration of Electronic Files. Screened employees are barred from access to the legal files described above. Employees who are screened from cases assigned to Judge Diaz-Perng shall not be given assignment or access in the courts' case management system. At the direction of the attorney with primary responsibility for the matter, the managing attorney shall ensure that the cases(s) identified are marked as "private" and are only accessible to those on the approved list.

Users are responsible to move all server files to the designated conflict folder location. Employees with rights to screened files shall lock their workstations or log out when leaving their computers unattended under circumstances where a screened employee could access the files. Employees also must not share the password to the case management system.

Supervision. Each Managing Attorney shall act as the ultimate supervisory authority with respect to enforcing the conflict screen over the office they supervise as stated above.

Captions. No document caption assigned to Judge Diaz-Perng (excluding office letterhead) by one screened office may contain the name of any member of the other screened office.

Notification. Copies of internal screening instructions shall be: (1) attached to the inside cover of every physical file, and (2) distributed by electronic mail to every employee in the screened offices, including CASA Coordinators.