

MINUTES

SUPREME COURT'S ADVISORY COMMITTEE ON THE MODEL UTAH JURY INSTRUCTIONS – CRIMINAL

Administrative Office of the Courts
450 South State Street
Salt Lake City, Utah 84114

Wednesday, October 1, 2014
12:00 p.m. to 1:30 p.m.
Judicial Council Room

PRESENT

Alison Adams-Perlac, Staff
Professor Jenny Andrus
Judge James Blanch
Mark Field
Sandi Johnson
Linda Jones
Karen Klucznik
Jesse Nix

EXCUSED

Judge Denise Lindberg, Chair
Professor Jensie Anderson
Judge Brendan McCullagh
Thomas Pedersen, Intern
John West
Judge Michael Westfall
Scott Young

1. Welcome and Approval of Minutes

Judge James Blanch

Judge Blanch welcomed everyone to the meeting.

The minutes could not be approved due because there was not a quorum of the committee in attendance.

2. Subcommittee Discussion

Committee

Because there was not a quorum present, the committee reviewed the list of the 50 Most Commonly Charged Criminal Offenses. The committee determined that drug, DUI, domestic violence, and theft cases should take priority, in that order, when the committee is finished drafting the sexual offense instructions. The committee decided that Karen Klucznik will chair a subcommittee on drug instructions and that Scott Young will also serve on that subcommittee. Judge McCullagh will chair a subcommittee on DUI instructions. Sandy Johnson will chair a subcommittee on domestic violence instructions. Finally, John West will chair a subcommittee to develop instructions for all types of theft offenses. The committee discussed that the subcommittee chairs should take the next few weeks to make invitations for others to work with them on their subcommittees. In drafting instructions, the subcommittee will focus on the most common offenses.

Ms. Klucznik stated that she will put together a spreadsheet on drug offenses similar to the one the committee has for sexual offenses so that the committee can monitor its progress on those offenses.

3. Instruction Comment Period

The committee discussed publishing instructions on the webpage and then having a 30 day comment period for practitioners and the public to make suggested changes. The committee would then review the comments and could make any necessary changes. The committee also discussed having an email where anyone could email at any time with suggestions about an instruction, or to send a proposed instruction. Because there was no quorum present, the committee will consider this again at the next meeting.

4. Adjourn

The meeting was adjourned at 12:30 p.m. The next meeting will be held on Wednesday, November 5, 2014.