

1 Rule 11-103. Rulemaking Procedures.

2 Intent:

3 To establish procedures for disseminating proposed rules to the Utah State Bar,  
4 Judiciary, interested groups, and members of the public.

5 Applicability:

6 This rule shall apply to the Supreme Court, the Administrative Office of the Courts,  
7 and the Supreme Court advisory committees.

8 ~~(4)(A)–(1)~~ Submission of final rules recommendations. Each advisory ~~rules~~  
9 committee shall vote upon and finalize its recommendations and any proposed  
10 committee notes for public comment and submit them to the Administrative Office of the  
11 Courts for publication and distribution.

12 ~~(4)(B)–(2)~~ Publication. The Administrative Office of the Courts shall publish the final  
13 committee recommendations and any proposed committee notes for a 45-day comment  
14 period. ~~The comment period will run from the expected publication date of the law~~  
15 ~~reporter service in which the rules will appear.~~ The purpose of the comment period shall  
16 be to solicit written ~~or oral~~ comment concerning the committees' recommendations ~~and~~  
17 ~~to request input on the committees' agenda.~~

18 ~~(4)(C)–(3)~~ Distribution. Copies of proposed rules and any advisory committee notes  
19 shall be distributed as provided in Rule ~~2-203~~ 11-106.

20 ~~(4)(D)–(4)~~ Comment. ~~The committees have the discretion to limit public comment to~~  
21 ~~oral or written comment.~~ Written comment shall be submitted to the Administrative  
22 Office of the Courts. ~~Oral comment shall be scheduled for hearing at the convenience of~~  
23 ~~the committee during the 45-day comment period.~~

24 ~~(4)(E)–(5)~~ Committee review. Upon the expiration of the comment period, the  
25 Administrative Office of the Courts shall compile all of the written comment received and  
26 forward it to the appropriate committee chair. The chair shall convene a meeting of the  
27 committee for the purpose of reviewing the public comment and discussing and voting  
28 upon appropriate modifications to the rules. If after receiving public comment, a  
29 committee makes substantial modifications to the proposed rule, the committee may  
30 submit the modified rule to the Administrative Office of the Courts for re-publication and  
31 further public comment.

32        ~~(4)(F)-(6)~~ Transmittal. Once the committee has reviewed the public comment and  
33 voted upon the final modifications to the proposed rules and committee notes, it shall  
34 submit a letter of transmittal to the Supreme Court with a copy of the committee's final  
35 proposals, a summary of the public comment and the committee's recommendations in  
36 response to the comment.

37        ~~(5) Responsibility of Utah State Bar, or other entities, as to proposed amendments to~~  
38 ~~rules pertaining to the practice of law.~~

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