

1 **Rule 11-101. Creation and Composition of Advisory Committees.**

2 **Intent:**

3 To establish advisory committees and procedures to govern those committees.

4 **Applicability:**

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

7 **Statement of the Rule:**

8 **(1) Establishment of committees.** There is hereby established a Supreme Court advisory
9 committee in each of the following areas: civil procedure, criminal procedure, juvenile court procedure,
10 appellate procedure, evidence, and the rules of professional conduct. The Supreme Court shall designate
11 a liaison to each advisory committee ~~and to the Utah State Bar.~~

12 **(2) Composition of committees.** The Supreme Court shall determine the size of each committee
13 based upon the workload of the individual committees. The committees should be broadly representative
14 of the legal community and should include practicing lawyers, academicians, and judges. Members
15 should possess expertise within the committee's jurisdiction.

16 **(3) Application and recruitment of committee members.** Vacancies on the committees shall be
17 announced in a manner reasonably calculated to reach members of the Utah State Bar. The notice shall
18 specify the name of the committee which has the vacancy, a brief description of the committee's
19 responsibilities, the method for submitting an application or letter of interest and the application deadline.
20 Members of the committees or the Supreme Court may solicit applications for membership on the
21 committees. Applications and letters of interest shall be submitted to the Supreme Court.

22 **(4) Appointment of committee members and chair.** Upon expiration of the application deadline,
23 the Supreme Court shall review the applications and letters of interest and appoint those individuals who
24 are best suited to serve on the committee. Members shall be appointed to serve staggered four-year
25 terms. In the event of a mid-term vacancy the Supreme Court shall appoint a new member to serve for
26 the remainder of the term. The Supreme Court shall select a chair from among the committee's members.
27 No lawyer may serve more than two full consecutive terms on the committee unless appointed by the
28 Supreme Court as the committee chair ~~or as an institutional or court representative (e.g. an academician,~~
29 ~~judge, recording secretary, etc.)~~ or when justified by exceptional special circumstances, such as an
30 academician or court staff attorney. Judges who serve as members of the committees generally shall not
31 be selected as chairs. Committee members shall serve as officers of the court and not as representatives
32 of any client, employer, or other organization or interest group. At the first meeting of a committee in any
33 calendar year, and at every meeting at which a new member of the committee first attends, each
34 committee member shall briefly disclose the general nature of his or her legal practice.

35 **(5) Vacancies.** ~~In the event of a vacancy on a committee due to death, incapacity, resignation or~~
36 ~~removal, the Supreme Court, after consultation with the committee chair, shall appoint a new committee~~
37 ~~member to serve for the remainder of the unexpired term.~~

38 ~~(6)~~(5) **Absences.** In the event that a committee member fails to attend three committee meetings
39 during a calendar year, the chair may notify the Supreme Court of those absences and may request that
40 the Supreme Court replace that committee member.

41 ~~(7)~~(6) **Administrative assistance.** The Administrative Office of the Courts shall coordinate staff
42 support to each committee, including the assistance of the Office of General Counsel in research and
43 drafting and the coordination of secretarial support and publication activities.

44 ~~(8)~~(7) **Recording secretaries.** A committee chair may appoint a third-year law student, a member of
45 the Bar in good standing, or a legal secretary to serve as a recording secretary for the committee. The
46 recording secretary, shall attend and take minutes at committee meetings, provide research and drafting
47 assistance to committee members and perform other assignments as requested by the chair.

48 Prosecution and appeals. Amend. Provides that a matter may be referred to the Professional
49 Counseling Board. Gives the Office of Professional Conduct the right to appeal a screening panel
50 decision. Makes technical changes.