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**JAN 22 2015**

In re: Proposed Amendments  
to Rule 11-101  
of the GENERAL PROVISIONS to the  
SUPREME COURT RULES OF PROFESSIONAL PRACTICE

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**ORDER**

IT IS HEREBY ORDERED that the proposed amendments to Rule 11-101 of the General Provisions to the Supreme Court Rules of Professional Practice are adopted and promulgated effective May 1, 2015.

FOR THE COURT:

1. 22. 15  
Date

  
Matthew B. Durrant  
Chief Justice

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.

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