

1 ~~(2)~~ Rule 11-101. Creation and eComposition of aAdvisory rules eCommittees.

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,
6 and the Supreme Court advisory committees.

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

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

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

26 ~~(2)(D)-(4)~~ Appointment of committee members and chair. Upon expiration of the
27 application deadline, the Supreme Court shall review the applications and letters of
28 interest and appoint those individuals who are best suited to serve on the committee.
29 Members shall be appointed to serve staggered four-year terms. The ~~Chief Justice~~
30 Supreme Court shall select a chair from among the committee's members. ~~The chair~~
31 ~~shall be appointed to serve a two-year term and may be appointed to serve additional~~

32 ~~two-year terms.~~ Judges who serve as members of the committees generally shall not be
33 selected as chairs. Committee members shall serve as officers of the court and not as
34 representatives of any client, employer, or other organization or interest group. At the
35 first meeting of a committee in any calendar year, and at every meeting at which a new
36 member of the committee first attends, each committee member shall briefly disclose
37 the general nature of his or her legal practice.

38 ~~(2)(E)-(5)~~ Vacancies. In the event of a vacancy on a committee due to death,
39 incapacity, resignation or removal, the Supreme Court, after consultation with the
40 committee chair, shall appoint a new committee member to serve for the remainder of
41 the unexpired term ~~to which appointed~~.

42 ~~(2)(F)-(6)~~ Absences. In the event that a committee member fails to attend three
43 committee meetings during a calendar year, the chair ~~shall~~ may notify the Supreme
44 Court of those absences and may request that the Supreme Court replace that
45 committee member.

46 ~~(2)(G)-(7)~~ Administrative assistance. The Administrative Office of the Courts shall
47 coordinate staff support to each committee, including the assistance of the Office of
48 General Counsel in research and drafting and the coordination of secretarial support
49 and publication activities.

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

55 ~~(3) Responsibility of advisory rules committees.~~

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