

1 Rule 3-403. Judicial branch education.

2 Intent:

3 To establish the Judicial Branch Education Committee's responsibility to develop and
4 evaluate a comprehensive education program for all judges, commissioners and court staff.

5 To establish education standards for judges, commissioners and court staff, including
6 provisions for funding and accreditation for educational programs.

7 To ensure that education programs, including opportunities for job orientation, skill and
8 knowledge acquisition, and professional and personal development, are available to all members
9 of the judicial branch and that such programs utilize the principles of adult education and focus
10 on participative learning.

11 To emphasize the importance of participation by all judicial branch employees in education
12 and training as an essential component in maintaining the quality of justice in the Utah courts.

13 Applicability:

14 This rule shall apply to all judges, commissioners and court staff, except seasonal employees
15 and law clerks.

16 Statement of the Rule:

17 (1) Organization.

18 (1)(A) Judicial branch education committee. The Judicial Branch Education Committee shall
19 submit to the Council for approval proposed policies, standards, guidelines, and procedures
20 applicable to all judicial branch education activities. It shall evaluate and monitor the quality of
21 educational programs and make changes where appropriate within the approved guidelines for
22 funding, attendance, and accreditation.

23 (1)(B) Responsibilities of members. Committee members shall propose policies and
24 procedures for developing, implementing, and evaluating orientation, continuing skill
25 development, and career enhancement education opportunities for all judicial branch employees;
26 formulate an annual education plan and calendar consistent with the judicial branch education
27 budget; and serve as advocates for judicial branch education, including educating the judiciary
28 about the purpose and functions of the Committee.

29 (1)(C) Committee meetings.

30 (1)(C)(i) The Committee shall meet twice a year. Additional meetings may be called as
31 necessary. A majority of voting members in attendance is required for official Committee action.

32 (1)(C)(ii) The chairperson may recommend to the Council that a Committee member be
33 replaced if that member is absent without excuse from two consecutive Committee meetings or
34 fails to meet the responsibilities of membership as outlined in paragraph (1)(B).

35 (2) Administration. Judicial Education Officer. The Judicial Education Officer, under the
36 direction of the Court Administrator, shall serve as staff to the Committee and be responsible for
37 the administration of the judicial education program consistent with this rule.

38 (3) Standards for judges and court commissioners.

39 (3)(A) Program requirements. All judges and court commissioners shall participate in a
40 designated orientation program during their first year ~~and, subsequently,.~~ All judges, court
41 commissioners, active senior judges, active senior justice court judges shall complete 30 hours of
42 pre-approved education annually, to be implemented on a schedule coordinated by the
43 Committee. Judges of courts of record and court commissioners may attend a combination of
44 approved local, state, or national programs; ~~however, attendance at the annual Utah Judicial~~
45 ~~Conference is mandatory absent good cause. Judges of courts not of record shall attend the~~
46 ~~annual Justice Court Conference, other mandatory programs as required by statute or this Code~~
47 ~~and such other pre-approved programs as necessary to complete 30 hours of education annually.~~
48 Senior judges may attend approved local or state programs and the annual Utah Judicial
49 Conference.

50 (3)(B)(i) Program components. Education programs for judges and court commissioners shall
51 include: a mandatory new judge orientation program; a variety of programs addressing
52 substantive and procedural law topics, aimed at skill and knowledge acquisition; and programs
53 geared to professional and personal development, to meet the continuing needs of judges and
54 court commissioners over the long term.

55 (3)(B)(ii) Annual conferences. Justice court judges and active senior justice court judges
56 shall attend the annual justice court conference unless excused by the Management Committee
57 for good cause. Because the Annual judicial conference represents the only opportunity for
58 judges to meet and interact as a group and to elect their representatives, judge, active senior
59 judges and court commissioners of the courts of record are strongly encouraged to attend that
60 conference.

61 (4) Standards for court staff.

62 (4)(A) State employees.

63 (4)(A)(i) Program requirements. All court staff employed by the state shall complete 20
64 hours of approved coursework annually.

65 (4)(A)(ii) Program components. Education programs for court staff employed by the state
66 shall include: on-the-job orientation for new employees as well as semi-annual Orientation
67 Academies; skill development programs that teach technical and job-related competencies; and
68 enhancement programs that promote personal and professional growth within the organization.

69 (4)(B) Local government employees.

70 (4)(B)(i) Program requirements. All court staff employed by the justice courts shall complete
71 10 hours of approved coursework annually. All other court staff employed by local government
72 shall complete 20 hours of approved coursework annually.

73 (4)(B)(ii) Program components. Education programs for court staff employed by local
74 government shall include: annual training seminar; skill development programs that teach
75 technical and job-related competencies; and enhancement programs that promote personal and
76 professional growth.

77 (5) Reporting.

78 (5)(A) Judges, commissioners and court staff governed by these standards shall report
79 participation in education programs on a form developed by the Committee.

80 ~~(5)(B) For judges and commissioners, compliance with education standards shall be an~~
81 ~~element of the judicial performance evaluation program and the certification process.~~

82 (5)(C)(B) For court staff, compliance with judicial branch education standards shall be a
83 performance criterion in the evaluation of all staff.

84 (5)(C)(B)(i) Supervisory personnel are responsible to ensure that all staff have an opportunity
85 to participate in the required education. Failure of a supervisor to meet the minimum education
86 standards or to provide staff with the opportunity to meet minimum education standards will
87 result in an unsatisfactory performance evaluation in the education criterion.

88 (5)(C)(B)(ii) Failure of staff to meet the minimum education requirements will result in an
89 unsatisfactory evaluation on the education criterion unless the employee provides documented
90 reasons that the employee's failure to meet the education standards is due to reasons beyond the
91 employee's control.

92 (6) Credit. Judicial education procedures shall include guidelines for determining which
93 programs qualify as approved education within the meaning of these standards.

94 (7) Funding.

95 (7)(A) Budget. In preparing its annual request for legislative appropriations, the Council shall
96 receive and consider recommendations from the Committee. The Committee's annual education
97 plan shall be based upon the Council's actual budget allocation for judicial education.

98 (7)(B) In-state education programs. Judicial branch funds allocated to in-state judicial
99 education shall first be used to support mandatory in-state orientation programs for all judicial
100 branch employees and then for other education priorities as established by the Committee with
101 input from the Boards of Judges and Administrative Office.

102 (7)(C) Out-of-state education programs. To provide for diverse educational development, to
103 take advantage of unique national opportunities, and to utilize education programs which cannot
104 be offered in-state, the annual education plan shall include out-of-state education opportunities.
105 The Committee shall approve national education providers and shall include in the education
106 procedures, criteria to be applied by the Administrative Office to out-of-state education requests.
107 Criteria shall include relevance to the attendee's current assignment and attendance at in-state
108 programs. Disagreement with a decision to deny an out-of-state education request may be
109 reviewed by a quorum of the Committee at the applicant's request.

110 (7)(D) Tuition, fees, and travel. The Committee shall develop policies and procedures for
111 paying tuition, fees, per diem, and travel for approved programs. State funds cannot be used to
112 pay for discretionary social activities, recreation, or spouse participation. The Committee may set
113 financial limits on reimbursement for attendance at elective programs, with the individual
114 participant personally making up the difference in cost when the cost exceeds program
115 guidelines.

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