

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

2       **Intent:**

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

5       **Applicability:**

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

8       **Statement of the Rule:**

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

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

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

27       **(4) Appointment of committee members and chair.** Upon expiration of  
28 the application deadline, the Supreme Court shall review the applications and

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

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

49 ~~**(6)**~~ **(5) Absences.** In the event that a committee member fails to attend  
50 three committee meetings during a calendar year, the chair may notify the  
51 Supreme Court of those absences and may request that the Supreme Court  
52 replace that committee member.

53 ~~**(7)**~~ **(6) Administrative assistance.** The Administrative Office of the Courts  
54 shall coordinate staff support to each committee, including the assistance of  
55 the Office of General Counsel in research and drafting and the coordination of  
56 secretarial support and publication activities.

57        ~~(8)~~(7) **Recording secretaries.** A committee chair may appoint a third-year  
58 law student, a member of the Bar in good standing, or a legal secretary to  
59 serve as a recording secretary for the committee. The recording secretary,  
60 shall attend and take minutes at committee meetings, provide research and  
61 drafting assistance to committee members and perform other assignments as  
62 requested by the chair.