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MEMBERS OF THE UTAH SUPREME COURT
ADVISORY COMMITTEE ON CIVIL PROCEDURE

Re: March Meeting

Dear Committee Members:

The next meeting of the Committee will be held on Wednesday, March 23, 1994, beginning at 4:00 p.m. We will meet in the Council Room of the Administrative Office of the Courts, 230 South 500 East, Salt Lake City, Utah. Our meeting will last about an hour and a half. Please be on time so that we can begin and end promptly.

At this month's meeting we will deal with the following issues:

1. We will ask for a report from Colin Winchester on the Legislature's actions with respect to our proposed Rule 72 (on writs of restitution) and our proposed "continuing garnishment" changes to Rule 64D. We will specifically ask Colin whether our committee needs to take any further action on these rules in light of the Legislature's actions.
2. Please find enclosed a copy of a revised proposed Rule 63(b) on disqualification of judges. We discussed several changes to this proposal last month; those changes are incorporated in this draft. If this draft meets with the approval of the committee, it will be ready to send out to the public for comment.
3. We will have a discussion of changes to the discovery rules in light of the December 1, 1993 changes to the federal discovery rules. I will make a brief presentation on the viability, in the

*Rule 69 - done
goes to the Court
when 45 & 30 (f) are
done*

SB 236 passed

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state context, of federal changes to Rules 4 and 11. We will ask for a report from Fran Wikstrom and John Young on their study of the viability of changes to Rules 26, 30, 32 and 37 in the state context.

4. Please find enclosed a letter from Perrin Love with revisions to our proposed changes to Rule 45 and proposed committee notes. If we are able to arrive at a consensus on these changes and on the committee notes, we will be prepared to send this rule off to the Supreme Court for final approval.
5. Last month I circulated to you revisions to Rule 69. Please bring those with you to the meeting so that we may finalize our approval of Rule 69 and committee notes prepared by Brad Baldwin - and so that we may put these changes in final form to send to the Supreme Court.
6. Finally, please find enclosed for your files a revised version of our committee notes to Rule 30(f) which I prepared to conform to suggested changes approved at our last meeting. I believe that Rule 30(f), Rule 45 and Rule 69, together with committee notes, should be ready, by the end of our meeting, to send to the Supreme Court.

I look forward to seeing all of you next Wednesday.

Very truly yours,



Alan L. Sullivan

ALS/kr
Enclosures

cc: Colin R. Winchester, Esq.
Craig T. Jacobsen, Esq.

**UTAH SUPREME COURT ADVISORY COMMITTEE
ON CIVIL PROCEDURE**

AGENDA

March 23, 1994

1. *Welcome and approval of minutes (A. Sullivan)*
2. *Legislative report (C. Winchester; A. Sullivan)*
3. *Rule 63(b) (Disqualification of Judges) - Consideration of final draft*
4. *Rule 45 (Subpoenas) - Consideration of final draft and committee notes (P. Love)*
5. *Rule 69 (Execution) - Consideration of final draft and committee notes (B. Baldwin)*
6. *Discovery rules changes after the federal amendments (A. Sullivan)*