

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.

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. A committee may also have up to two  
16 nonvoting emeritus members. An emeritus member has the same authority and duties as other committee  
17 members, except that such member shall have no authority to vote. An emeritus member may serve two  
18 terms in addition to the terms served as a member.

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

25       (4) **Appointment of committee members and chair.** Upon expiration of the application deadline,  
26 the Supreme Court shall review the applications and letters of interest and appoint those individuals who  
27 are best suited to serve on the committee. Members shall be appointed to serve staggered four-year  
28 terms. In the event of a mid-term vacancy the Supreme Court shall appoint a new member to serve for  
29 the remainder of the term. The Supreme Court shall select a chair from among the committee's members.  
30 No ~~lawyer~~ member may serve more than two full consecutive terms on the committee unless appointed  
31 by the Supreme Court as the committee chair or when justified by special circumstances, such as an  
32 academician or court staff attorney. A member appointed as chair may serve up to four terms as a  
33 member and chair. Judges who serve as members of the committees generally shall not be selected as  
34 chairs. Committee members shall serve as officers of the court and not as representatives of any client,  
35 employer, or other organization or interest group. At the first meeting of a committee in any calendar year,  
36 and at every meeting at which a new member of the committee first attends, each committee member  
37 shall briefly disclose the general nature of his or her legal practice.

38           (5) **Absences.** In the event that a committee member fails to attend three committee meetings during  
39 a calendar year, the chair may notify the Supreme Court of those absences and may request that the  
40 Supreme Court replace that committee member.

41           (6) **Administrative assistance.** The Administrative Office of the Courts shall coordinate staff support  
42 to each committee, including the assistance of the Office of General Counsel in research and drafting and  
43 the coordination of secretarial support and publication activities.

44           (7) **Recording secretaries.** A committee chair may appoint a third-year law student, a member of the  
45 Bar in good standing, or a legal secretary to serve as a recording secretary for the committee. The  
46 recording secretary<sup>7</sup> 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.