

1 **Rule 1-205. Standing and Ad Hoc Committees.**

2 **Intent:**

3 To establish standing and ad hoc committees to assist the Council and provide
4 recommendations on topical issues.

5 To establish uniform terms and a uniform method for appointing committee members.

6 To provide for a periodic review of existing committees to assure that their activities are
7 appropriately related to the administration of the judiciary.

8 **Applicability:**

9 This rule shall apply to the internal operation of the Council.

10 **Statement of the Rule:**

11 (1) **Standing Committees.**

12 (1)(A) **Establishment.** The following standing committees of the Council are hereby
13 established:

14 (1)(A)(i) Technology Committee;

15 (1)(A)(ii) Uniform Fine Schedule Committee;

16 (1)(A)(iii) Ethics Advisory Committee;

17 (1)(A)(iv) Judicial Branch Education Committee;

18 (1)(A)(v) Court Facility Planning Committee;

19 (1)(A)(vi) Committee on Children and Family Law;

20 (1)(A)(vii) Committee on Judicial Outreach;

21 (1)(A)(viii) Committee on Resources for Self-represented Parties;

22 (1)(A)(ix) Language Access Committee;

23 (1)(A)(x) Guardian ad Litem Oversight Committee;

24 (1)(A)(xi) Committee on Model Utah Civil Jury Instructions;

25 (1)(A)(xii) Committee on Model Utah Criminal Jury Instructions;

26 (1)(A)(xiii) Committee on Pretrial Release and Supervision; and

27 (1)(A)(xiv) Committee on Court Forms.

28 (1)(B) **Composition.**

29 (1)(B)(i) The Technology Committee shall consist of:

30 (1)(B)(i)(a) one judge from each court of record;

31 (1)(B)(i)(b) one justice court judge;

- 32 (1)(B)(i)(c) one lawyer recommended by the Board of Bar
33 Commissioners;
- 34 (1)(B)(i)(d) two court executives;
- 35 (1)(B)(i)(e) two court clerks; and
- 36 (1)(B)(i)(f) two staff members from the Administrative Office.
- 37 (1)(B)(ii) The Uniform Fine/Bail Schedule Committee shall consist of:
- 38 (1)(B)(ii)(a) one district court judge who has experience with a
39 felony docket;
- 40 (1)(B)(ii)(b) three district court judges who have experience with a
41 misdemeanor docket;
- 42 (1)(B)(ii)(c) one juvenile court judge; and
- 43 (1)(B)(ii)(d) three justice court judges.
- 44 (1)(B)(iii) The Ethics Advisory Committee shall consist of:
- 45 (1)(B)(iii)(a) one judge from the Court of Appeals;
- 46 (1)(B)(iii)(b) one district court judge from Judicial Districts 2, 3, or 4;
- 47 (1)(B)(iii)(c) one district court judge from Judicial Districts 1, 5, 6, 7,
48 or 8;
- 49 (1)(B)(iii)(d) one juvenile court judge;
- 50 (1)(B)(iii)(e) one justice court judge; and
- 51 (1)(B)(iii)(f) an attorney from either the Bar or a college of law.
- 52 (1)(B)(iv) The Judicial Branch Education Committee shall consist of:
- 53 (1)(B)(iv)(a) one judge from an appellate court;
- 54 (1)(B)(iv)(b) one district court judge from Judicial Districts 2, 3, or 4;
- 55 (1)(B)(iv)(c) one district court judge from Judicial Districts 1, 5, 6, 7,
56 or 8;
- 57 (1)(B)(iv)(d) one juvenile court judge;
- 58 (1)(B)(iv)(e) the education liaison of the Board of Justice Court
59 Judges;
- 60 (1)(B)(iv)(f) one state level administrator;
- 61 (1)(B)(iv)(g) the Human Resource Management Director;
- 62 (1)(B)(iv)(h) one court executive;
- 63 (1)(B)(iv)(i) one juvenile court probation representative;
- 64 (1)(B)(iv)(j) two court clerks from different levels of court and
65 different judicial districts;

- 66 (1)(B)(iv)(k) one data processing manager; and
67 (1)(B)(iv)(l) one adult educator from higher education.
68 (1)(B)(iv)(m) The Human Resource Management Director and the
69 adult educator shall serve as non-voting members. The
70 state level administrator and the Human Resource
71 Management Director shall serve as permanent
72 Committee members.
- (1)(B)(v) The Court Facility Planning Committee shall consist of:
73 (1)(B)(v)(a) one judge from each level of trial court;
74 (1)(B)(v)(b) one appellate court judge;
75 (1)(B)(v)(c) the state court administrator;
76 (1)(B)(v)(d) a trial court executive; and
77 (1)(B)(v)(e) two business people with experience in the
78 construction or financing of facilities.
79
- (1)(B)(vi) The Committee on Children and Family Law shall consist of:
80 (1)(B)(vi)(a) one Senator appointed by the President of the Senate;
81 (1)(B)(vi)(b) one Representative appointed by the Speaker of the
82 House;
83 (1)(B)(vi)(c) the Director of the Department of Human Services or
84 designee;
85 (1)(B)(vi)(d) one attorney of the Executive Committee of the Family
86 Law Section of the Utah State Bar;
87 (1)(B)(vi)(e) one attorney with experience in abuse, neglect and
88 dependency cases;
89 (1)(B)(vi)(f) one attorney with experience representing parents in
90 abuse, neglect and dependency cases;
91 (1)(B)(vi)(g) one representative of a child advocacy organization;
92 (1)(B)(vi)(h) one mediator;
93 (1)(B)(vi)(i) one professional in the area of child development;
94 (1)(B)(vi)(j) one representative of the community;
95 (1)(B)(vi)(k) the Director of the Office of Guardian ad Litem or
96 designee;
97 (1)(B)(vi)(l) one court commissioner;
98 (1)(B)(vi)(m) two district court judges; and
99

- 100 (1)(B)(vi)(n) two juvenile court judges.
- 101 (1)(B)(vi)(o) One of the district court judges and one of the juvenile
- 102 court judges shall serve as co-chairs to the committee.
- 103 In its discretion the committee may appoint non-
- 104 members to serve on its subcommittees.
- 105 (1)(B)(vii) The Committee on Judicial Outreach shall consist of:
- 106 (1)(B)(vii)(a) one appellate court judge;
- 107 (1)(B)(vii)(b) one district court judge;
- 108 (1)(B)(vii)(c) one juvenile court judge;
- 109 (1)(B)(vii)(d) one justice court judge; one state level administrator;
- 110 (1)(B)(vii)(e) a state level judicial education representative;
- 111 (1)(B)(vii)(f) one court executive;
- 112 (1)(B)(vii)(g) one Utah State Bar representative;
- 113 (1)(B)(vii)(h) one communication representative;
- 114 (1)(B)(vii)(i) one law library representative;
- 115 (1)(B)(vii)(j) one civic community representative; and
- 116 (1)(B)(vii)(k) one state education representative.
- 117 (1)(B)(vii)(l) Chairs of the Judicial Outreach Committee's
- 118 subcommittees shall also serve as members of the
- 119 committee.
- 120 (1)(B)(viii) The Committee on Resources for Self-represented Parties shall
- 121 consist of:
- 122 (1)(B)(viii)(a) two district court judges;
- 123 (1)(B)(viii)(b) one juvenile court judge;
- 124 (1)(B)(viii)(c) two justice court judges;
- 125 (1)(B)(viii)(d) three clerks of court – one from an appellate court, one
- 126 from an urban district and one from a rural district;
- 127 (1)(B)(viii)(e) one member of the Online Court Assistance
- 128 Committee;
- 129 (1)(B)(viii)(f) one representative from the Self-Help Center;
- 130 (1)(B)(viii)(g) one representative from the Utah State Bar;
- 131 (1)(B)(viii)(h) two representatives from legal service organizations
- 132 that serve low-income clients;

- 133 (1)(B)(viii)(i) one private attorney experienced in providing services
134 to self-represented parties;
- 135 (1)(B)(viii)(j) two law school representatives;
- 136 (1)(B)(viii)(k) the state law librarian; and
- 137 (1)(B)(viii)(l) two community representatives.
- 138 (1)(B)(ix) The Language Access Committee shall consist of:
- 139 (1)(B)(ix)(a) one district court judge;
- 140 (1)(B)(ix)(b) one juvenile court judge;
- 141 (1)(B)(ix)(c) one justice court judge;
- 142 (1)(B)(ix)(d) one trial court executive;
- 143 (1)(B)(ix)(e) one court clerk;
- 144 (1)(B)(ix)(f) one interpreter coordinator;
- 145 (1)(B)(ix)(g) one probation officer;
- 146 (1)(B)(ix)(h) one prosecuting attorney;
- 147 (1)(B)(ix)(i) one defense attorney;
- 148 (1)(B)(ix)(j) two certified interpreters;
- 149 (1)(B)(ix)(k) one approved interpreter;
- 150 (1)(B)(ix)(l) one expert in the field of linguistics; and
- 151 (1)(B)(ix)(m) one American Sign Language representative.
- 152 (1)(B)(x) The Guardian ad Litem Oversight Committee shall consist of:
- 153 (1)(B)(x)(a) seven members with experience in the administration
154 of law and public services selected from public, private
155 and non-profit organizations.
- 156 (1)(B)(xi) The Committee on Model Utah Civil Jury Instructions shall consist of:
- 157 (1)(B)(xi)(a) two district court judges;
- 158 (1)(B)(xi)(b) four lawyers who primarily represent plaintiffs;
- 159 (1)(B)(xi)(c) four lawyers who primarily represent defendants; and
- 160 (1)(B)(xi)(d) one person skilled in linguistics or communication.
- 161 (1)(B)(xii) The Committee on Model Utah Criminal Jury Instructions shall consist
162 of:
- 163 (1)(B)(xii)(a) two district court judges;
- 164 (1)(B)(xii)(b) one justice court judge;
- 165 (1)(B)(xii)(c) four prosecutors;
- 166 (1)(B)(xii)(d) four defense counsel;

- 167 (1)(B)(xii)(e) one professor of criminal law; and
168 (1)(B)(xii)(f) one person skilled in linguistics or communication.
- 169 (1)(B)(xiii) The Committee on Pretrial Release and Supervision shall consist of:
- 170 (1)(B)(xiii)(a) two district court judges;
171 (1)(B)(xiii)(b) one juvenile court judge;
172 (1)(B)(xiii)(c) two justice court judges;
173 (1)(B)(xiii)(d) one prosecutor;
174 (1)(B)(xiii)(e) one defense attorney;
175 (1)(B)(xiii)(f) one county sheriff;
176 (1)(B)(xiii)(g) one representative of counties;
177 (1)(B)(xiii)(h) one representative of a county pretrial services agency;
178 (1)(B)(xiii)(i) one representative of the Utah Insurance Department;
179 (1)(B)(xiii)(j) one representative of the Utah Commission on
180 Criminal and Juvenile Justice;
181 (1)(B)(xiii)(k) one commercial surety agent;
182 (1)(B)(xiii)(l) one state senator;
183 (1)(B)(xiii)(m) one state representative;
184 (1)(B)(xiii)(n) the Director of the Indigent Defense Commission or
185 designee; and
186 (1)(B)(xiii)(o) the court's general counsel or designee.
- 187 (1)(B)(xiv) The Committee on Court Forms shall consist of:
- 188 (1)(B)(xiv)(a) one district court judge;
189 (1)(B)(xiv)(b) one court commissioner;
190 (1)(B)(xiv)(c) one juvenile court judge;
191 (1)(B)(xiv)(d) one justice court judge;
192 (1)(B)(xiv)(e) one court clerk;
193 (1)(B)(xiv)(f) one appellate court staff attorney;
194 (1)(B)(xiv)(g) one representative from the Self-Help Center;
195 (1)(B)(xiv)(h) the State Law Librarian;
196 (1)(B)(xiv)(i) the Court Services Director;
197 (1)(B)(xiv)(j) one member selected by the Online Court Assistance
198 Committee;
199 (1)(B)(xiv)(k) one representative from a legal service organization
200 that serves low-income clients;

- 201 (1)(B)(xiv)(l) one paralegal;
202 (1)(B)(xiv)(m) one educator from a paralegal program or law school;
203 (1)(B)(xiv)(n) one person skilled in linguistics or communication; and
204 (1)(B)(xiv)(o) one representative from the Utah State Bar.

205 (1)(C) **Standing committee chairs.** The Judicial Council shall designate the chair of
206 each standing committee. Standing committees shall meet as necessary to
207 accomplish their work. Standing committees shall report to the Council as
208 necessary but a minimum of once every year. Council members may not serve,
209 participate or vote on standing committees. Standing committees may invite
210 participation by others as they deem advisable, but only members designated by
211 this rule may make motions and vote. All members designated by this rule may
212 make motions and vote unless otherwise specified. Standing committees may
213 form subcommittees as they deem advisable.

214 (1)(D) **Committee performance review.** At least once every six years, the
215 Management Committee shall review the performance of each committee. If the
216 Management Committee determines that committee continues to serve its
217 purpose, the Management Committee shall recommend to the Judicial Council
218 that the committee continue. If the Management Committee determines that
219 modification of a committee is warranted, it may so recommend to the Judicial
220 Council.

221 (1)(D)(i) Notwithstanding subsection (1)(D), the Guardian ad Litem Oversight
222 Committee, recognized by Section 78A-6-901, shall not terminate.

223 (2) **Ad hoc committees.** The Council may form ad hoc committees or task forces to consider
224 topical issues outside the scope of the standing committees and to recommend rules or
225 resolutions concerning such issues. The Council may set and extend a date for the
226 termination of any ad hoc committee. The Council may invite non-Council members to
227 participate and vote on ad hoc committees. Ad hoc committees shall keep the Council
228 informed of their activities. Ad hoc committees may form sub-committees as they deem
229 advisable. Ad hoc committees shall disband upon issuing a final report or
230 recommendations to the Council, upon expiration of the time set for termination, or upon
231 the order of the Council.

232 (3) **General provisions.**

233 (3)(A) **Appointment process.**

- 234 (3)(A)(i) **Administrator's responsibilities.** The state court administrator shall
235 select a member of the administrative staff to serve as the
236 administrator for committee appointments. Except as otherwise
237 provided in this rule, the administrator shall:
- 238 (3)(A)(i)(a) announce expected vacancies on standing committees
239 two months in advance and announce vacancies on ad
240 hoc committees in a timely manner;
- 241 (3)(A)(i)(b) for new appointments, obtain an indication of
242 willingness to serve from each prospective appointee
243 and information regarding the prospective appointee's
244 present and past committee service;
- 245 (3)(A)(i)(c) for reappointments, obtain an indication of willingness
246 to serve from the prospective reappointee, the length of
247 the prospective reappointee's service on the
248 committee, the attendance record of the prospective
249 reappointee, the prospective reappointee's
250 contributions to the committee, and the prospective
251 reappointee's other present and past committee
252 assignments; and
- 253 (3)(A)(i)(d) present a list of prospective appointees and
254 reappointees to the Council and report on
255 recommendations received regarding the appointment
256 of members and chairs.
- 257 (3)(A)(ii) **Council's responsibilities.** The Council shall appoint the chair of
258 each committee. Whenever practical, appointments shall reflect
259 geographical, gender, cultural and ethnic diversity.
- 260 (3)(B) **Terms.** Except as otherwise provided in this rule, standing committee members
261 shall serve staggered three year terms. Standing committee members shall not
262 serve more than two consecutive terms on a committee unless the Council
263 determines that exceptional circumstances exist which justify service of more
264 than two consecutive terms.
- 265 (3)(C) **Expenses.** Members of standing and ad hoc committees may receive
266 reimbursement for actual and necessary expenses incurred in the execution of
267 their duties as committee members.

268 (3)(D) **Secretariat.** The Administrative Office shall serve as secretariat to the Council's
269 committees.

270 *Effective January 1, 2019*