

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

65 administrator and the Human Resource Management Director
66 shall serve as permanent Committee members.

67 (1)(B)(v) The Court Facility Planning Committee shall consist of:

68 (1)(B)(v)(a) one judge from each level of trial court;

69 (1)(B)(v)(b) one appellate court judge;

70 (1)(B)(v)(c) the state court administrator;

71 (1)(B)(v)(d) a trial court executive;

72 (1)(B)(v)(e) two business people with experience in the construction or
73 financing of facilities; and

74 (1)(B)(v)(f) the court security director.

75 (1)(B)(vi) The Committee on Children and Family Law shall consist of:

76 (1)(B)(vi)(a) one Senator appointed by the President of the Senate;

77 (1)(B)(vi)(b) one Representative appointed by the Speaker of the House;

78 (1)(B)(vi)(c) the Director of the Department of Human Services or designee;

79 (1)(B)(vi)(d) one attorney of the Executive Committee of the Family Law
80 Section of the Utah State Bar;

81 (1)(B)(vi)(e) one attorney with experience in abuse, neglect and dependency
82 cases;

83 (1)(B)(vi)(f) one attorney with experience representing parents in abuse,
84 neglect and dependency cases;

85 (1)(B)(vi)(g) one representative of a child advocacy organization;

86 (1)(B)(vi)(h) one mediator;

87 (1)(B)(vi)(i) one professional in the area of child development;

88 (1)(B)(vi)(j) one representative of the community;

89 (1)(B)(vi)(k) the Director of the Office of Guardian ad Litem or designee;

90 (1)(B)(vi)(l) one court commissioner;

91 (1)(B)(vi)(m) two district court judges; and

92 (1)(B)(vi)(n) two juvenile court judges.

93 (1)(B)(vi)(o) One of the district court judges and one of the juvenile court
94 judges shall serve as co-chairs to the committee. In its discretion
95 the committee may appoint non-members to serve on its
96 subcommittees.

97 (1)(B)(vii) The Committee on Judicial Outreach shall consist of:

98 (1)(B)(vii)(a) one appellate court judge;

- 99 (1)(B)(vii)(b) one district court judge;
- 100 (1)(B)(vii)(c) one juvenile court judge;
- 101 (1)(B)(vii)(d) one justice court judge; one state level administrator;
- 102 (1)(B)(vii)(e) a state level judicial education representative;
- 103 (1)(B)(vii)(f) one court executive;
- 104 (1)(B)(vii)(g) one Utah State Bar representative;
- 105 (1)(B)(vii)(h) one communication representative;
- 106 (1)(B)(vii)(i) one law library representative;
- 107 (1)(B)(vii)(j) one civic community representative; and
- 108 (1)(B)(vii)(k) one state education representative.
- 109 (1)(B)(vii)(l) Chairs of the Judicial Outreach Committee's subcommittees
- 110 shall also serve as members of the committee.

111 (1)(B)(viii) The Committee on Resources for Self-represented Parties shall consist
 112 of:

- 113 (1)(B)(viii)(a) two district court judges;
- 114 (1)(B)(viii)(b) one juvenile court judge;
- 115 (1)(B)(viii)(c) two justice court judges;
- 116 (1)(B)(viii)(d) three clerks of court – one from an appellate court, one from an
- 117 urban district and one from a rural district;
- 118 ~~(1)(B)(viii)(e) one member of the Online Court Assistance Committee;~~
- 119 ~~(1)(B)(viii)(e)~~ (1)(B)(viii)(f) _____ one representative from the Self-Help Center;
- 120 ~~(1)(B)(viii)(f)~~ (1)(B)(viii)(g) _____ one representative from the Utah State Bar;
- 121 ~~(1)(B)(viii)(g)~~ (1)(B)(viii)(h) _____ two representatives from legal service
- 122 organizations that serve low-income clients;
- 123 ~~(1)(B)(viii)(h)~~ (1)(B)(viii)(i) _____ one private attorney experienced in providing
- 124 services to self-represented parties;
- 125 ~~(1)(B)(viii)(i)~~ (1)(B)(viii)(j) _____ two law school representatives;
- 126 ~~(1)(B)(viii)(j)~~ (1)(B)(viii)(k) _____ the state law librarian; and
- 127 ~~(1)(B)(viii)(k)~~ (1)(B)(viii)(l) _____ two community representatives.

128 (1)(B)(ix) The Language Access Committee shall consist of:

- 129 (1)(B)(ix)(a) one district court judge;
- 130 (1)(B)(ix)(b) one juvenile court judge;
- 131 (1)(B)(ix)(c) one justice court judge;
- 132 (1)(B)(ix)(d) one trial court executive;

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

- 167 (1)(B)(xiii)(i) one representative of the Utah Insurance Department;
- 168 (1)(B)(xiii)(j) one representative of the Utah Commission on Criminal and
- 169 Juvenile Justice;
- 170 (1)(B)(xiii)(k) one commercial surety agent;
- 171 (1)(B)(xiii)(l) one state senator;
- 172 (1)(B)(xiii)(m) one state representative;
- 173 (1)(B)(xiii)(n) the Director of the Indigent Defense Commission or designee;
- 174 and

(1)(B)(xiii)(o) the court’s general counsel or designee.

(1)(B)(xiv) The Committee on Court Forms shall consist of:

- 177 (1)(B)(xiv)(a) one district court judge;
- 178 (1)(B)(xiv)(b) one court commissioner;
- 179 (1)(B)(xiv)(c) one juvenile court judge;
- 180 (1)(B)(xiv)(d) one justice court judge;
- 181 (1)(B)(xiv)(e) one court clerk;
- 182 (1)(B)(xiv)(f) one appellate court staff attorney;
- 183 (1)(B)(xiv)(g) one representative from the Self-Help Center;
- 184 (1)(B)(xiv)(h) the State Law Librarian;
- 185 (1)(B)(xiv)(i) the Court Services Director;
- 186 ~~(1)(B)(xiv)(j) one member selected by the Online Court Assistance~~
- 187 ~~Committee;~~
- 188 ~~(1)(B)(xiv)(k)~~(1)(B)(xiv)(j) one representative from a legal service
- 189 organization that serves low-income clients;
- 190 ~~(1)(B)(xiv)(l)~~(1)(B)(xiv)(k) one paralegal;
- 191 ~~(1)(B)(xiv)(m)~~(1)(B)(xiv)(l) one educator from a paralegal program or law
- 192 school;
- 193 ~~(1)(B)(xiv)(n)~~(1)(B)(xiv)(m) one person skilled in linguistics or
- 194 communication; and
- 195 ~~(1)(B)(xiv)(o)~~(1)(B)(xiv)(n) one representative from the Utah State Bar.

(1)(C) **Standing committee chairs.** The Judicial Council shall designate the chair of each standing committee. Standing committees shall meet as necessary to accomplish their work. Standing committees shall report to the Council as necessary but a minimum of once every year. Council members may not serve, participate or vote on standing committees. Standing committees may invite participation by others as

201 they deem advisable, but only members designated by this rule may make motions
202 and vote. All members designated by this rule may make motions and vote unless
203 otherwise specified. Standing committees may form subcommittees as they deem
204 advisable.

205 (1)(D) **Committee performance review.** At least once every six years, the Management
206 Committee shall review the performance of each committee. If the Management
207 Committee determines that committee continues to serve its purpose, the
208 Management Committee shall recommend to the Judicial Council that the
209 committee continue. If the Management Committee determines that modification of
210 a committee is warranted, it may so recommend to the Judicial Council.

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

213 (2) **Ad hoc committees.** The Council may form ad hoc committees or task forces to consider
214 topical issues outside the scope of the standing committees and to recommend rules or
215 resolutions concerning such issues. The Council may set and extend a date for the
216 termination of any ad hoc committee. The Council may invite non-Council members to
217 participate and vote on ad hoc committees. Ad hoc committees shall keep the Council
218 informed of their activities. Ad hoc committees may form sub-committees as they deem
219 advisable. Ad hoc committees shall disband upon issuing a final report or recommendations
220 to the Council, upon expiration of the time set for termination, or upon the order of the
221 Council.

222 (3) **General provisions.**

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

224 (3)(A)(i) **Administrator's responsibilities.** The state court administrator shall
225 select a member of the administrative staff to serve as the administrator
226 for committee appointments. Except as otherwise provided in this rule,
227 the administrator shall:

228 (3)(A)(i)(a) announce expected vacancies on standing committees two
229 months in advance and announce vacancies on ad hoc
230 committees in a timely manner;

231 (3)(A)(i)(b) for new appointments, obtain an indication of willingness to serve
232 from each prospective appointee and information regarding the
233 prospective appointee's present and past committee service;

234 (3)(A)(i)(c) for reappointments, obtain an indication of willingness to serve
235 from the prospective reappointee, the length of the prospective
236 reappointee's service on the committee, the attendance record of
237 the prospective reappointee, the prospective reappointee's
238 contributions to the committee, and the prospective reappointee's
239 other present and past committee assignments; and

240 (3)(A)(i)(d) present a list of prospective appointees and reappointees to the
241 Council and report on recommendations received regarding the
242 appointment of members and chairs.

243 (3)(A)(ii) **Council's responsibilities.** The Council shall appoint the chair of each
244 committee. Whenever practical, appointments shall reflect geographical,
245 gender, cultural and ethnic diversity.

246 (3)(B) **Terms.** Except as otherwise provided in this rule, standing committee members
247 shall serve staggered three year terms. Standing committee members shall not
248 serve more than two consecutive terms on a committee unless the Council
249 determines that exceptional circumstances exist which justify service of more than
250 two consecutive terms.

251 (3)(C) **Expenses.** Members of standing and ad hoc committees may receive
252 reimbursement for actual and necessary expenses incurred in the execution of their
253 duties as committee members.

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

256 *Effective _____, 2020*