

1 **Rule 4-411. Courthouse attire.**

2 **Intent:**

3 To ensure that Utah's courts are open in accordance with Article 1, Section 11 of the Utah
4 Constitution while balancing the need for decorum in court proceedings and safety of all
5 persons having business in Utah's courthouses.

6 **Applicability:**

7 This rule applies to all Utah justice courts, district courts, juvenile courts, and appellate
8 courts.

9 **Statement of the Rule:**

10 **(1) Open courts, personal attire, and judicial officer decision-making.**

11 (1)(a) Except as provided in paragraphs (2), (3), and (4), no person having business in
12 any court shall be denied access to a courtroom or courthouse based solely on the
13 person's attire.

14 (1)(b) All courtroom access decisions based on a person's attire shall be made in
15 accordance with this rule by a judicial officer on a case-by-case basis. "Judicial officer" is
16 defined as a judge or court commissioner.

17 (1)(c) With respect to courtroom access decisions based on a person's attire, the role of
18 a court bailiff, court security, or court staff is limited to answering questions and enforcing a
19 judicial order.

20 **(2) Courthouse security.**

21 (2)(a) Court security personnel may deny access to a courthouse, if a person's attire
22 raises a legitimate safety or security threat.

23 (2)(b) Court security personnel may deny access to a courtroom based on a person's
24 attire to enforce a judicial order.

25 **(3) Integrity of court proceedings.**

26 (3)(a) A person may be denied access to a courtroom if a judicial officer decides that a
27 person's attire would:

28 (3)(a)(i) disrupt the proceedings;

29 (3)(a)(ii) prejudice any victim or party to the proceedings; or

30 (3)(a)(iii) introduce a legitimate safety or security threat.

31 (3)(b) A judicial officer making a decision to deny access to a courtroom based on the
32 factors in subsection (3)(a) shall make specific findings on the record justifying the decision.

33 **(4) Contrary statements.**

34 (4)(a) All statements contrary to this rule are hereby rescinded.

35 (4)(b) All statements contrary to this rule shall be removed, including statements
36 expressed in any courthouse, courtroom, website, or policy manual.