

JUDICIAL COUNCIL MEETING

Minutes
Friday, August 19, 2016
Large Conference Room A
Matheson Courthouse
Salt Lake City, Utah

Chief Justice Matthew B. Durrant, Presiding

ATTENDEES:

Chief Justice Matthew B. Durrant
Justice Thomas Lee
Hon. Marvin Bagley
Hon. Ann Boyden
Hon. Mark DeCaria
Hon. Paul Farr
Hon. Thomas Higbee
Hon. David Marx
Hon. Mary Noonan
Hon. Reed Parkin
Hon. James Taylor for Hon. Derek Pullan
John Randall Skanchy
Hon. Kate Toomey
John Lund, esq.

STAFF PRESENT:

Daniel J. Becker
Ray Wahl
Jody Gonzales
James Ishida
Debra Moore
Dawn Marie Rubio
Rick Schwermer

GUESTS:

James Peters

1. **WELCOME AND APPROVAL OF MINUTES: (Chief Justice Matthew B. Durrant)**

Chief Justice Matthew B. Durrant welcomed everyone to the meeting.

Motion: Judge Toomey moved to approve the minutes from the July 18, 2016 Judicial Council meeting. Judge DeCaria seconded the motion, and it passed unanimously.

2. **CHAIR'S REPORT: (Chief Justice Matthew B. Durrant)**

Chief Justice Durrant, Mr. Becker and Mr. Schwermer met with JPEC at their monthly meeting. Discussion topics were mentioned.

Chief Justice and Mr. Becker attended the CCJ/COSCA Annual meeting in Jackson Hole, Wyoming at the end of July. Mr. Becker provided a presentation on the changes made in the civil justice process at the meeting.

Chief Justice Durrant and Governor Herbert provided remarks at the National Conference of Sentencing Commission earlier in the month.

3. **ADMINISTRATOR'S REPORT: (Daniel J. Becker)**

Mr. Becker reported on the following items:

Justice Court Administrator. Mr. Jim Peters has been appointed as the justice court administrator. He will begin working in this new capacity on August 29.

Legislative Audit on Cash Bail. The second legislative audit on cash bail will close shortly with a report to the Audit Committee, tentatively to be provided in October.

Judicial Retirement. Judge Jeffrey Burbank, First District Juvenile Court Judge has announced his upcoming retirement, effective March 15, 2017.

JPEC Update. Mr. Schwermer highlighted the following in his update: 1) JPEC has approved a design of a new website, and a press release will be sent out when the new website is functioning.

4. COMMITTEE REPORTS:

Management Committee Report:

Chief Justice Durrant reported that the Management Committee meeting minutes accurately reflect the issues discussed. The items needing to be addressed by the Council have been placed on today's agenda.

Liaison Committee Report:

No meeting was held in July.

Policy and Planning Meeting:

Judge Parkin had nothing new to report.

Bar Commission Report:

Mr. Lund had nothing new to report.

5. CIVIL JUSTICE INITIATIVE REPORT: (Daniel J. Becker)

Mr. Becker mentioned that a copy of the Executive Summary and the Full Report entitled *Call to Action: Achieving Civil Justice for All* which is included with the Council material.

Mr. Becker highlighted the following regarding the civil justice initiative report:

- the study was conducted over a 2.5 year period commissioned by the Conference of Chief Justices
- the full report was adopted by the Conference of Chief Justices and the Conference of State Court Administrators at their annual conference in July
- the effort to move forward with the adoption of the recommendations in each state is recommended
- all the western states will attend a working conference, in Park City in late May, dedicated to the implementation of the recommendations with teams led by the chief justice and the state court administrator from each state
- Mr. Becker referenced a complementary document entitled *Landscape – Civil Litigation*
- Statistics were reviewed relative to civil litigation in state courts
- 13 recommendations are included in the report founded on several core principals

Mr. Becker recommended that the recommendations be considered in the context of the above-mentioned May conference.

Motion: Judge Skanchy moved to enter into an executive session to discuss a matter of professional competence. Judge Toomey seconded the motion, and it passed unanimously.

6. EXECUTIVE SESSION

An executive session was held at this time.

7. ADJOURN

The meeting was adjourned.