Ad Hoc Committee on High Volume Case Filings

Hon. Charles Stormont, Chair
July 1, 2026
12:00 – 1:00
Hybrid: Judicial Council Room & WebEx

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1. **Welcome**
   - Judge Stormont opened the meeting.
   - The supreme court anticipates that this ad hoc committee will propose draft procedural rules for the new debt collection division. The rules should be much easier to work with for the large volume of self-represented litigants than the current rules of civil procedure. This committee started with a streamlined set of rules as a starting point and those draft rules have evolved in response to the creation of the new debt collection and eviction division.
2. **Approval of Prior Minutes**

   All past meeting minutes were approved and will be posted on the court's website.
3. **Update from S.B. 270 Steering Committee**
   - Default proceedings may continue to be managed by the assigned judge instead of by the commissioners.
   - Expanding ODR to cover the cases in this new division is envisioned.
   - How cases moved between the assigned district court judge and the commissioners is still being worked on. That is more pressing in eviction cases where the timelines are shorter than in debt collection cases. There are some process flowcharts in development.
   - The definition of debt collection for the new division is likely capped at $20,000 but interest and costs can make the total sum greater than that amount. The definition from the FDCPA will be looked at as a model.

4. **Procedural Rules**

- User testing, to test for plain language and readability, can be pursued in partnership with the Self-Help Center. That review can occur during the 45-day public comment period to maximize the limited time available to move these rules to public comment.
- The rules would apply at the outset of a debt collection case, when it is still with the district court, and continue to apply during the back-and-forth between commissioners and district courts. There was discussion that having separate rules applied based on venue or stage of the case would make things more confusing for self-represented people, which could be contrary to the purpose of the new rules. There was also discussion about making sure these rules apply even if the case is filed (or misfiled) as a contract case, which happens in some places. It will be easier to shift the cases to the division through the case management system if they are all the same case type. Court staff can redesignate case types when they see cases that are filed under the wrong case type.
- The group discussed using a Complaint or a Complaint+Plus.
  - There are studies from other states that show a large volume of debt cases are bad debt (outside the statue of limitations or with other defects making the debt unrecoverable), but many cases are resolved by default judgment on otherwise uncollectible debt.
  - These rules would apply to all filers, now and in the future, and can be designed to reduce future trends of that type by having certain pleading requirements. At least one nearby state, in its debt collection reforms, requires all filers, including creditors represented by counsel, to use a court-provided form, including for the complaint. There was discussion of the value in consistency particularly as the court covers all districts statewide instead of just the third district where some consistency has already occurred, pparticularly related to the statute of limitations. There was some discussion of the value of a set form for complaints instead of a bench card or checklist. A set form, using fill in the blanks and short answers, would be easier to implement consistently and statewide. For creditors, complying with a court-required form complaint would also be helpful against claims that things were not filed correctly. Some transition period to implement the changes would be helpful for the bulk filers to update their internal systems.
  - There was general interest in using a Complaint+Plus as long as the requirements are clear and the new complaint does not add so many fees to the process that it becomes less useful.
  - A Complaint+Plus would also be useful to provide meaningful notice to debtors and facilitate more engagement when a complaint is filed. Identifying the principal and the calculated pre- and post-

judgment interest would be helpful to get engagement; that is a frequent area of questions by volunteers assisting in these cases.

- Quinn noted the initial draft rules contemplated delayed discovery and noted the importance of getting people to mediation or other discussions quickly. There would be value in expediting that process even while discovery is delayed or stayed.
- Dave noted that for forms, particularly in evictions, the current answer forms may be construed to steer people to counterclaims where none exist. Updated forms might want to evaluate how that is done, as well as the length of the answer forms.
- Kim noted that at the justice courts, they are working on programming changes to develop consistency in small claims cases, using a guided interview process via MyCase. There was discussion on how to scale that to include debt collection and eviction cases.
- Eviction matters in Utah already include a Complaint+Plus model, requiring the lease and notice attached at the filing stage.
- Consistent complaint language and associated documents will lead to consistent handling and application of defaults statewide.

5. Action Items

- Next meeting is July 15.
- Judge Stormont solicited specific feedback on the draft procedural rules related to discovery (including initial disclosures or using a Complaint+Plus) and motions practice.