

**MINUTES OF THE
SENATE JUDICIAL CONFIRMATION COMMITTEE**
Thursday, November 6, 2014 – 12:00 p.m. – Room 415 State Capitol

Members Present:

Sen. Scott K. Jenkins, Senate Chair
Sen. Lyle W. Hillyard
Sen. Peter C. Knudson
Sen. Karen Mayne
Sen. Stuart C. Reid

Members Absent:

Sen. Patricia W. Jones
Sen. Stephen H. Urquhart

Staff Present:

Mr. Michael E. Christensen, Director
Ms. Susan Creager Allred, Associate General Counsel
Ms. Kristen Ricks, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Jenkins called the meeting to order at 12:09 p.m. Sen. Jones was excused from the meeting.

MOTION: Sen. Knudson moved to close the meeting for the purpose of discussing the character, professional competence, and physical or mental health of the judicial candidate. The motion passed unanimously.

MOTION: Sen. Knudson moved to open the meeting. The motion passed unanimously.

2. Interview of Mr. L. Douglas Hogan

Mr. Hogan was placed under oath by Mr. Christensen. He introduced his family and friends in attendance and thanked the committee and the governor for this opportunity. He provided a personal background statement and talked about his upbringing on a farm in Tooele. Growing up on a farm taught him to be reliable and that he was capable of completing important tasks. His parents and extended family members exemplified hard work and sacrifice as they worked to keep the family farm.

After law school Mr. Hogan became legal counsel for S.K. Hart Management. After one year, he decided he wanted to return to Tooele. He moved back, and opened his own law firm there. After giving a brief synopsis of his legal career, Mr. Hogan said he has always desired to become a judge because of the important role judges play in giving individuals hope and helping them to change. He said he is a hard worker and is up to the task. He has no interest in trying to create law but would enforce the existing law without prejudice. As Tooele County Attorney he practices both civil and criminal law. He has felt it important to stay connected with law enforcement and has maintained his presence there. He said he has experience with criminal defense and criminal prosecution, as well as family law, adoptions, and guardianships. As county attorney, he has shown his ability to be a good leader who exercises patience.

He responded to questions from the committee regarding his current position as Tooele county attorney, judicial conflicts, the death penalty, pro se litigants, and his community involvement.

Mr. Hogan shared with the committee that recently he had to self-report a violation to the Judicial Conduct Commission. During the most recent election he endorsed a political candidate. After he became a judicial nominee, he could no longer endorse candidates. He said he has done what he can to rectify his actions. Sen. Hillyard said he believed that, although serious, it is not as serious as if he had already been sworn in as a judge.

MOTION: Sen. Knudson moved to favorably recommend to the full Senate that Mr. Hogan be confirmed as a judge to the Third District Court. The motion passed unanimously.

3. Interview of Ms. Laura S. Scott

Ms. Scott was placed under oath by Mr. Christensen. She introduced her family in attendance and thanked the committee and the governor for this opportunity. She expressed gratitude toward the committee for the gatekeeping function they provide to ensure only the most qualified applicants are confirmed. She provided a personal history and said her parents always taught her to take responsibility for her actions and to work hard. She outlined contributions she has made to the community. Ms. Scott said she believes there are many opportunities, as a judge, to educate people about and be an example of the judicial system. She is committed to do that. She understands that litigation is expensive and as a private attorney sought ways to reduce her clients' costs. As a judge she would strive to do the same. She understands the benefit of allowing people to share their stories and to consider every case based on its own set of facts. She shared her experiences with drug court and juvenile court and said that creative solutions should be utilized by judges.

Ms. Scott responded to questions from the committee regarding her decision to switch careers, the death penalty, paternal prejudices, and her experience with family law. She said there is nothing in her past that, if made public, would embarrass her or the bench.

MOTION: Sen. Reid moved to favorably recommend to the full Senate that Ms. Scott be confirmed as a judge to the Third District Court. The motion passed unanimously.

4. Other Items/Adjourn

MOTION: Sen. Hillyard moved to adjourn the meeting. The motion passed unanimously.

Chair Jenkins adjourned the meeting at 2:30 p.m.