

Todd Weiler proposes the following substitute bill:

Court Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Chris H. Wilson

House Sponsor:

LONG TITLE

General Description:

This bill increases the number of judges and justices for certain courts.

Highlighted Provisions:

This bill:

- increases the number of Utah Supreme Court justices;
- increases the number of Utah Court of Appeals judges; and
- increases the number of Utah district court judges.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

78A-1-103, as last amended by Laws of Utah 2024, Chapter 148

78A-3-101, as last amended by Laws of Utah 2025, First Special Session, Chapter 10

78A-4-102, as last amended by Laws of Utah 2022, Chapter 276

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **78A-1-103** is amended to read:

78A-1-103 . Number of district court judges.

The number of district court judges is:

- (1) four district court judges in the First Judicial District;
- (2) 14 district court judges in the Second Judicial District;
- (3) [32] 33 district court judges in the Third Judicial District;
- (4) 13 district court judges in the Fourth Judicial District;
- (5) [seven] eight district court judges in the Fifth Judicial District;

- (6) two district court judges in the Sixth Judicial District;
(7) three district court judges in the Seventh Judicial District; and
(8) three district court judges in the Eighth Judicial District.

Section 2. Section **78A-3-101** is amended to read:

78A-3-101 . Number of justices -- Terms -- Chief justice and associate chief justice -- Selection and functions.

- (1) The Supreme Court consists of [~~five~~] seven justices.
- (2)(a) A justice of the Supreme Court is appointed initially to serve until the first general election held more than three years after the effective date of the appointment.
- (b) After the first term of appointment under Subsection (2)(a), the term of office of a justice of the Supreme Court is 10 years and commences on the first Monday in January following the date of election.
- (3)(a) Upon any vacancy in the office of chief justice, including expiration of a term of the office of chief justice, or upon a chief justice's death, removal, or resignation, the governor shall appoint a chief justice from among the members of the Supreme Court, with the advice and consent of the Senate.
- (b) Except as provided in Subsection (3)(c), the term of the office of chief justice is eight years.
- (c)(i) For a chief justice whose term of office began on April 1, 2024, the term of the office of the chief justice is four years.
- (ii) The term of the office of chief justice expires on April 1, 2028, for any chief justice who is elected to serve by the justices of the Supreme Court before October 14, 2025.
- (d) On and after October 14, 2025, a member of the Supreme Court may not serve as chief justice for more than one term.
- (e) The chief justice may resign from the office of chief justice without resigning from the Supreme Court.
- (f) The chief justice may be removed from the office of chief justice by a majority vote of all justices of the Supreme Court.
- (g) The chief justice shall receive the sum of \$2,000 per annum as additional compensation for the period served as chief justice.
- (4)(a) If a chief justice has not been appointed by the governor and confirmed by the Senate within 30 days of a vacancy in that office, the associate chief justice shall act as interim chief justice until a chief justice is appointed and confirmed under this

64 section.

65 (b) If the associate chief justice is unable or unwilling to act as interim chief justice as
66 described in Subsection (4)(a), the most senior justice shall act as interim chief
67 justice until a chief justice is appointed and confirmed under this section.

68 (5) In addition to the chief justice's duties as a member of the Supreme Court, the chief
69 justice has duties as provided by law.

70 (6)(a) There is created the office of associate chief justice.

71 (b) The associate chief justice is elected by a majority vote of the members of the
72 Supreme Court.

73 (c) The term of office of the associate chief justice is two years.

74 (d) The chief justice may:

75 (i) determine the allocated duties of the associate chief justice; and

76 (ii) delegate responsibilities to the associate chief justice as consistent with law.

77 (e) If the chief justice is absent or otherwise unable to serve, the associate chief justice
78 shall perform the duties of the office of the chief justice until the chief justice is no
79 longer absent or unable to serve.

80 (f) The associate chief justice shall receive the sum of \$1,000 per annum for the period
81 served as associate chief justice.

82 Section 3. Section **78A-4-102** is amended to read:

83 **78A-4-102 . Number of judges -- Terms -- Presiding judge -- Associate presiding**
84 **judge -- Filing fees.**

85 (1)(a) The Court of Appeals consists of [~~seven~~] nine judges.

86 (b) The term of appointment to office as a judge of the Court of Appeals is until the first
87 general election held more than three years after the effective date of the appointment.

88 (c) After the first term of appointment under Subsection (1)(b), the term of office of a
89 judge of the Court of Appeals is six years and commences on the first Monday in
90 January, next following the date of election.

91 (d) A judge whose term expires may serve, upon request of the Judicial Council, until a
92 successor is appointed and qualified.

93 (2)(a) The Court of Appeals shall sit and render judgment in panels of three judges.

94 (b) Assignment to panels shall be by random rotation of all judges of the Court of
95 Appeals.

96 (c) The Court of Appeals by rule shall provide for the selection of a chair for each panel.

97 (d) The Court of Appeals may not sit en banc.

- 98 (3)(a) The judges of the Court of Appeals shall elect a presiding judge from among the
99 members of the court by majority vote of all judges.
- 100 (b) The term of office of the presiding judge is two years and until a successor is elected.
- 101 (c) A presiding judge of the Court of Appeals may serve in that office no more than two
102 successive terms.
- 103 (d) The Court of Appeals may by rule provide for an acting presiding judge to serve in
104 the absence or incapacity of the presiding judge.
- 105 (e) The presiding judge of the Court of Appeals shall receive \$2,000 per annum of
106 additional compensation for the period served as presiding judge.
- 107 (4)(a) The presiding judge may be removed from the office of presiding judge by
108 majority vote of all judges of the Court of Appeals.
- 109 (b) In addition to the duties of a judge of the Court of Appeals, the presiding judge shall:
- 110 (i) administer the rotation and scheduling of panels;
- 111 (ii) act as liaison with the Supreme Court;
- 112 (iii) call and preside over the meetings of the Court of Appeals; and
- 113 (iv) carry out duties prescribed by the Supreme Court and the Judicial Council.
- 114 (5)(a) The judges of the Court of Appeals shall elect an associate presiding judge from
115 among the members of the court by majority vote of all judges.
- 116 (b) The associate presiding judge of the Court of Appeals shall receive \$1,000 per
117 annum as additional compensation for the period served as associate presiding judge.
- 118 (6) Filing fees for the Court of Appeals are the same as for the Supreme Court.

119 **Section 4. Effective Date.**

120 This bill takes effect:

- 121 (1) except as provided in Subsection (2), May 6, 2026; or
- 122 (2) if approved by two-thirds of all members elected to each house:
- 123 (a) upon approval by the governor;
- 124 (b) without the governor's signature, the day following the constitutional time limit of
- 125 Utah Constitution, Article VII, Section 8; or
- 126 (c) in the case of a veto, the date of veto override.