

**MINUTES OF THE  
SENATE JUDICIAL CONFIRMATION COMMITTEE**  
Monday, May 19, 2014 – 12:00 p.m. – Room 25 House Building

**Members Present:**

Sen. Scott K. Jenkins, Senate Chair  
Sen. Lyle W. Hillyard  
Sen. Patricia W. Jones  
Sen. Karen Mayne  
Sen. Stuart C. Reid  
Sen. Stephen H. Urquhart

**Members Absent:**

Sen. Peter C. Knudson

**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](http://www.le.utah.gov).

**1. Committee Business**

Chair Jenkins called the meeting to order at 12:08 p.m.

**MOTION:** Sen. Jones 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 with Sen. Hillyard and Sen. Urquhart absent for the vote.

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

**2. Interview of Mr. Richard D. McKelvie**

Mr. Richard D. McKelvie was placed under oath by Mr. Christensen. Mr. McKelvie introduced his family and friends in attendance and thanked members for the opportunity to appear before the committee. He provided a personal and professional background statement to the committee. He shared accounts from his upbringing in Ogden and described how his parents taught him the value of hard work. He said that in high school he knew he wanted to be a prosecutor and worked diligently to obtain that career. In his career, he said, he exercised his ability to recognize and show compassion toward the other sides in a case. He informed the committee that several years ago, he was asked to take over the Trial Advocacy instruction at the University of Utah. He said that experience has been one of the most invigorating and stimulating points of his career. He said he has loved the pursuit of knowledge and would view this nomination as an opportunity to continue to learn. When asked about his lack of civil experience, he responded that one of his most important characteristics is his ability to become educated. He said he will depend on attorneys to help educate the court. He stated that he does not want to force the law into a cubicle as a way to advance interests. He responded to questions from the committee regarding criminal convictions, the death penalty, the process of attracting quality judicial candidates, how to deal with the rising cost of litigation fees, judicial activism, and access to legal representation.

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

**4. Other Items / Adjourn**

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

Chair Jenkins adjourned the meeting at 2:16 p.m.