

AGENDA

JUDICIARY INTERIM COMMITTEE

UTAH LEGISLATURE

Wednesday, August 23, 2017 • 1:15 p.m. • Room 20 House Building

1. Committee Business

- Call to order – Sen. Todd Weiler, Senate Chair
- Approval of the minutes of the June 21, 2017, meeting

2. Sunset Review – Administrative Office of the Courts

Absent further action by the Legislature and pursuant to Utah Code Section 63I-1-278, on July 1, 2018, Section 78A-2-105, which applies to the Office of the Court Administrator, will be repealed. The Office of the Court Administrator oversees the Administrative Office of the Courts. The committee will conduct a sunset review to determine whether the section should be reauthorized for up to 10 years, with or without amendments, allowed to expire, or the sunset provision be eliminated from the statute.

- Introduction: Joseph Wade, Policy Analyst, Office of Legislative Research and General Counsel
- Rick Schwermer, State Court Administrator, Administrative Office of the Courts
- Committee questions
- Public comment
- Committee discussion and committee action, as needed

3. Report – Mandatory Educational Course for Divorcing Parents and Mandatory Orientation Course for Divorcing Parties

At the request of the committee, the Administrative Office of the Courts has prepared a written report on the effectiveness of the mandatory educational course for divorcing parents and the mandatory orientation course for divorcing parties.

- Committee questions regarding written report
- Public comment
- Committee discussion and committee action, as needed

4. Children’s Justice Centers

The Utah Children’s Justice Center Program helps local communities respond to allegations of child abuse. The goal is to respond in ways that are effective, efficient, and that minimize trauma for the child. The program is administered by the Utah Attorney General and includes 20 locations statewide.

- Rep. Kim Coleman
- Committee questions
- Public comment
- Committee discussion and committee action, as needed

5. Jury Nullification / Jury Instructions

The committee will discuss the role of the jury in a criminal trial. 2017 General Session H.B. 332, Criminal Procedure Revisions, as amended by the House Judiciary Standing Committee, proposed changes related to juries.

- Introduction: Patricia Owen, Associate General Counsel, Office of Legislative Research and General Counsel
- Rep. Marc Roberts
- Timothy Lynch, Director of Project On Criminal Justice, CATO Institute
- Steven Burton, Utah Association of Criminal Defense Lawyers
- Statewide Association of Prosecutors
- Academic
- Committee questions
- Public comment
- Committee discussion and committee action, as needed

6. Mens Rea Reform

Mens rea, Latin for "guilty mind," is the mental state of an individual accused of committing a crime, as opposed to the action or conduct of the accused. Proponents of mens rea reform favor strengthening mens rea requirements.

- Rep. Brian Green
- Committee questions
- Public comment
- Committee discussion and committee action, as needed

7. Indigent Defense

The director of the Utah Indigent Defense Commission will provide an update.

- Joanna Landau, Director, Utah Indigent Defense Commission
- Committee questions
- Public comment
- Committee discussion and committee action, as needed

8. Other Items/Adjourn

- Next meeting: Wednesday, September 20, 2017, at 1:15 p.m.