

HB186: JUDICIAL CONDUCT COMMISSION AMENDMENTS

Sponsor: Representative Teuscher

BACKGROUND

- The Judicial Conduct Commission (JCC) is an 11-member independent fact-finding body that investigates allegations of judicial misconduct by state, county, and municipal judges.
 - 4 members elected by the legislature (2 Senators & 2 Representatives)
 - 4 members elected from the courts (2 attorneys & 2 judges)
 - 3 members elected by the governor (Nominated by Governor, approved by Senate)
- The JCC is established in the Utah Constitution in Article VIII, Section 13.

HB186'S PURPOSE

- HB186 clarifies existing law on judicial oversight by resolving inconsistencies and improving clarity around reporting and administrative processes.



WHAT

DOES HB186 DO?

- Clarifies that JCC records are not public records.
- When prosecutors file an information or indictment against a judge, they must also file it with the JCC.
- When the Administrative Office of the Courts files a complaint against a judge, they must also file it with the JCC.
- If a justice of the Chief Justice is placed on administrative leave without a JCC referral, the Administrative Office of the Courts must file a complaint against them with the JCC.
- JCC is not required to refer an allegation of criminal misconduct if the Administrative Office of the Courts has already done so.
- JCC is required to submit an annual report of its cases to the Legislature.