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78A-3-102 Jurisdiction of Supreme Court.

- (1) The Supreme Court has original jurisdiction to answer questions of state law certified by a court of the United States.
- (2) The Supreme Court has original jurisdiction to issue all extraordinary writs and authority to issue all writs and process necessary to carry into effect the Supreme Court's orders, judgments, and decrees or in aid of the jurisdiction of the Supreme Court.
- (3)
 - (a) The Supreme Court has exclusive and original appellate jurisdiction, including exclusive and original appellate jurisdiction of an interlocutory appeal, over:
 - (i) a judgment of the Court of Appeals;
 - (ii) a case certified to the Supreme Court by the Court of Appeals before final judgment by the Court of Appeals;
 - (iii) the discipline of a lawyer;
 - (iv) a final order of the Judicial Conduct Commission;
 - (v) an interlocutory appeal from a court of record involving a capital felony;
 - (vi) an appeal from the district court involving a conviction or charge of a capital felony;
 - (vii) an appeal from the district court of an order, judgment, or decree ruling on a legislative subpoena;
 - (viii) an appeal of an injunctive order as described in Section 78B-5-1002;
 - (ix) a judgment, or an interlocutory appeal of an order, of a district court involving:
 - (A) an election or voting contest; or
 - (B) the establishment of boundaries of political districts for purposes of an election; and
 - (x) the retention or removal of a public officer.
 - (b) The Supreme Court may not transfer any matter described in Subsection (3)(a) to the Court of Appeals.
 - (c) In a case involving an election or voting contest or the establishment of boundaries of political districts for purposes of an election, a judgment is appealable to the Supreme Court even if:
 - (i) a party files a motion or claim for attorney fees under Rule 73 of the Utah Rules of Civil Procedure in the district court; and
 - (ii) the district court has not entered a dispositive order for that motion or claim.
- (4)
 - (a) In addition to Subsection (3)(a), the Supreme Court has original appellate jurisdiction, including original appellate jurisdiction of an interlocutory appeal, over:
 - (i) a final agency action, as described in Section 63G-4-403, in a formal adjudicative proceeding originating from:
 - (A) the Public Service Commission;
 - (B) the State Tax Commission;
 - (C) the School and Institutional Trust Lands Board of Trustees;
 - (D) the Board of Oil, Gas, and Mining;
 - (E) the state engineer; or
 - (F) the executive director of the Department of Natural Resources reviewing an action of the Division of Forestry, Fire, and State Lands;
 - (ii) a final order or decree of the district court review of an informal adjudicative proceeding of an agency described in Subsection (4)(a)(i);

- (iii) a final judgment or decree of a court of record holding a statute of the United States or this state is unconstitutional on its face under the Constitution of the United States or the Utah Constitution;
 - (iv) an interlocutory appeal from a court of record involving a first degree felony;
 - (v) an appeal from a district court involving a conviction or charge of a first degree felony; and
 - (vi) an order, judgment, or decree of a court of record over which the Court of Appeals does not have appellate jurisdiction.
- (b) The Supreme Court may transfer any matter described in Subsection (4)(a) to the Court of Appeals.
- (5)
- (a) The Supreme Court has sole discretion in granting or denying a petition for writ of certiorari for the review of a Court of Appeals adjudication.
 - (b) Notwithstanding Subsection (5)(a), the Supreme Court shall review a case certified to the Supreme Court by the Court of Appeals under Subsection (3)(a)(ii).
- (6) The Supreme Court shall comply with the requirements of Title 63G, Chapter 4, Administrative Procedures Act, in the Supreme Court's review of an agency adjudicative proceeding.