

JUDICIAL CONDUCT COMMISSION

AMENDMENTS

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gene Davis

House Sponsor: Neal B. Hendrickson

LONG TITLE

General Description:

This bill allows the Judicial Conduct Commission to decline to investigate certain complaints.

Highlighted Provisions:

This bill:

- ▶ allows the Judicial Conduct Commission to decline to investigate any complaint that is received more than four years after the act or omission that constitutes the misconduct unless the complaint alleges criminal misconduct.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

78A-11-109, as enacted by Laws of Utah 2008, Chapter 3

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

Section 1. Section **78A-11-109** is amended to read:

78A-11-109. Receipt of complaints.

(1) The commission shall receive and investigate any complaint against a judge.

(2) Unless the complaint alleges criminal misconduct, the commission may decline to

30 investigate any complaint received four or more years after the act or omission which
31 constitutes the alleged misconduct.

32 ~~[(2)]~~ (3) During the course of any investigation, the commission may order a hearing to
33 be held concerning the reprimand, censure, suspension, removal, or involuntary retirement of a
34 judge.

35 ~~[(3)]~~ (4) The commission shall provide the judge with all information necessary to
36 prepare an adequate response or defense, which may include the identity of the complainant.