

**Representative John Dougall** proposes the following substitute bill:

**LEGISLATOR COMMUNICATIONS WITH  
JUDICIARY JOINT RULES RESOLUTION**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: John L. Valentine**

House Sponsor: John Dougall

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**LONG TITLE**

**General Description:**

This bill creates a chapter in the legislative rules relating to communications with the judiciary.

**Highlighted Provisions:**

This resolution:

- ▶ provides guidelines and restrictions for legislators when communicating with judges;
- ▶ prohibits legislators from communicating with a judge in reference to a particular judicial case or proceeding until a final order has been made;
- ▶ provides guidelines for communicating with the Administrative Office of the Courts or the clerk of the court in other circumstances; and
- ▶ provides an exception for communications made in the ordinary course of a legislator's private employment, except where a legislator attempts to use his or her status as legislator to exert undue influence.

**Special Clauses:**

None

**Legislative Rules Affected:**



26 ENACTS:

27 **JR6-6-101**

28 **JR6-6-102**

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30 *Be it resolved by the Legislature of the state of Utah:*

31 Section 1. **JR6-6-101** is enacted to read:

32 **CHAPTER 6. COMMUNICATIONS WITH OTHER BRANCHES OF GOVERNMENT**

33 **JR6-6-101. Communications with the Judiciary.**

34 (1) As used in this section, "final decision or order" means a decision or order that  
35 determines the rights of the parties and concerning which appellate remedies have been  
36 exhausted or the time for appeal has expired.

37 (2) (a) A legislator may not communicate, either verbally or in writing, with a judge in  
38 reference to a particular judicial case or proceeding until a final decision or order has been  
39 made on the matter.

40 (b) Inquiries to the judiciary that are merely technical or logistical in nature should be  
41 made with the Administrative Office of the Courts or a clerk of the court.

42 Section 2. **JR6-6-102** is enacted to read:

43 **JR6-6-102. Exceptions -- Acting in Normal Course of Private Employment.**

44 The restrictions in this chapter shall not apply to a communication that a legislator  
45 makes with the judiciary in the normal course of the legislator's private employment, provided  
46 that the legislator does not use his or her status as a legislator in an attempt to unduly influence  
47 the judiciary.

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**Fiscal Note**

**S.J.R. 6 2nd Sub. (Salmon) - Legislator Communications with Judiciary Joint  
Rules Resolution**

2009 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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