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**SENATE RULES RESOLUTION - SENATE  
JUDICIAL CONFIRMATION COMMITTEE  
2024 GENERAL SESSION  
STATE OF UTAH  
Chief Sponsor: Todd D. Weiler**

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**LONG TITLE**

**General Description:**

This resolution modifies Senate rules related to the Senate Judicial Confirmation Committee.

**Highlighted Provisions:**

This resolution:

- removes the requirement that the Office of Legislative Research and General Counsel provide a judicial appointee's resume to the news media; and
- makes technical changes to align legislative rule with the Utah Code.

**Other Special Clauses:**

None

**Legislative Rules Affected:**

AMENDS:

**SR3-3-202**

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*Be it resolved by the Senate of the state of Utah:*

Section 1. **SR3-3-202** is amended to read:

**SR3-3-202 . Senate Judicial Confirmation Committee -- Confirmation process.**

- (1) (a) The Senate Judicial Confirmation Committee shall comply with the procedures established in this rule.
- (b) Each committee member shall ensure that records received by them that are classified "private," "protected," or "controlled" under Utah Code Title 63G, Chapter 2, Government Records Access and Management Act, are released only if the requirements of that act are met.
- (2) After [the] a Judicial Nominating Commission announces the nominees and forwards those names to the Office of Legislative Research and General Counsel as required by

29 Utah Code Section ~~[78A-10-103]~~ 78A-10a-203, that office shall provide the resume of  
 30 each nominee to each member of the Senate.

31 ~~[(3) When the governor provides the president of the Senate with the nominees' resumes,~~  
 32 ~~application materials, and other related documents, the president shall provide that~~  
 33 ~~information to the members of the Senate Judicial Confirmation Committee.]~~

34 ~~[(4)]~~ (3) After the governor announces the appointee and provides the information required  
 35 by Utah Code Section 67-1-2:

36 (a) the chair of the Senate Judicial Confirmation Committee shall direct the preparation  
 37 of a news release which shall include:

38 (i) a brief description of the judicial position to be filled;

39 (ii) the name of the appointee;

40 (iii) a brief description of the functions of the Senate Judicial Confirmation  
 41 Committee;

42 (iv) a request that members of the Senate wanting to make comments contact the  
 43 chair or the Office of Legislative Research and General Counsel by the deadline  
 44 specified in the news release, which may not be less than 10 business days after  
 45 publication of the news release;

46 (v) a request that members of the public wanting to make comments contact the  
 47 Office of Legislative Research and General Counsel by the deadline specified in  
 48 the news release, which may not be less than 10 business days after publication of  
 49 the news release; and

50 (vi) a notice that any person wanting to comment submit a written statement detailing  
 51 the substance of their testimony, including the person's name, telephone number,  
 52 and mailing address, to the Office of Legislative Research and General Counsel;  
 53 and

54 (b) the Office of Legislative Research and General Counsel shall provide:

55 (i) ~~[provide the resume of the appointee]~~ the appointee's resume and the news release  
 56 described in this ~~[Subsection (4) to:]~~ Subsection (3) to each senator;

57 ~~[(A) each member of the Senate; and]~~

58 ~~[(B)]~~ (ii) the news release described in this Subsection (3) to the news media,  
 59 including television, radio, and the major circulation newspapers in Salt Lake City  
 60 and the geographical area served by the judicial office to be filled by the  
 61 appointee; and

62 ~~[(ii)]~~ (iii) ~~[provide the appointee's resume, application materials, and other related~~

63 documents] the materials described in Utah Code Subsection 67-1-2(4)(b) to each  
64 member of the Senate Judicial Confirmation Committee.

65 ~~[(5)]~~ (4) (a) The chair of the Senate Judicial Confirmation Committee may direct its staff  
66 to investigate:

67 (i) the background, qualifications, and fitness for judicial office of the appointee  
68 generally; and

69 (ii) specific issues raised or revealed by any member of the committee, any senator,  
70 or any member of the public, or that may arise at any time during the Senate  
71 confirmation process.

72 (b) In conducting the investigation, committee staff may contact any person or  
73 organization that might have information about the nominee's fitness for judicial  
74 office.

75 (c) The chair may direct staff to ask the governor, the chair of the Judicial Nominating  
76 Commission, or both, whether or not certain facts revealed by the investigation were  
77 known to the governor or the nominating commission at the time the candidate was  
78 considered by either of them.

79 ~~[(6)]~~ (5) (a) The chair of the Senate Judicial Confirmation Committee shall provide  
80 public notice of each committee meeting.

81 (b) The public notice shall include an explanation that:

82 (i) any person wanting to testify regarding the appointee shall submit a written  
83 request to testify to the Office of Legislative Research and General Counsel at  
84 least 24 hours before the meeting is scheduled to begin; and

85 (ii) portions of the meeting may be closed under Utah Code Title 52, Chapter 4, Open  
86 and Public Meetings Act.

87 ~~[(7)]~~ (6) Before convening a meeting of the Senate Judicial Confirmation Committee, the  
88 chair shall:

89 (a) review all written statements from persons desiring to address the committee  
90 regarding the governor's appointee;

91 (b) review all records to be distributed to the committee and classify each record as  
92 "public" or "private" by applying the standard contained in Subsection 63G-2-302  
93 (1)(f)(i);

94 (c) determine which persons making a timely request to testify under Subsection ~~[(6)]~~(a)  
95 (5) may address the committee; and

96 (d) if necessary, establish reasonable time limits for public comment.

97 Section 2. **Effective date.**

98 This resolution takes effect upon a successful vote for final passage.