

**SENATE RULES RESOLUTION - SENATE JUDICIAL
CONFIRMATION COMMITTEE**

2024 GENERAL SESSION
STATE OF UTAH

Chief Sponsor: Todd D. Weiler

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.

Special Clauses:

None

Legislative Rules Affected:

AMENDS:

SR3-3-202

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



28 classified "private," "protected," or "controlled" under Utah Code Title 63G, Chapter 2,
29 Government Records Access and Management Act, are released only if the requirements of
30 that act are met.

31 (2) After ~~the~~ a Judicial Nominating Commission announces the nominees and
32 forwards those names to the Office of Legislative Research and General Counsel as required by
33 Utah Code Section ~~[78A-10-103]~~ 78A-10a-203, that office shall provide the resume of each
34 nominee to each member of the Senate.

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

38 ~~[(4)]~~ (3) After the governor announces the appointee and provides the information
39 required by Utah Code Section 67-1-2:

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

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

43 (ii) the name of the appointee;

44 (iii) a brief description of the functions of the Senate Judicial Confirmation
45 Committee;

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

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

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

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

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

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

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

63 ~~[(C)]~~ (iii) ~~[provide the appointee's resume, application materials, and other related~~
64 ~~documents]~~ the materials described in Utah Code Subsection [67-1-2\(4\)\(b\)](#) to each member of
65 the Senate Judicial Confirmation Committee.

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

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

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

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

78 ~~[(6)]~~ (5) (a) The chair of the Senate Judicial Confirmation Committee shall provide
79 public notice of each committee meeting.

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

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

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

86 ~~[(7)]~~ (6) Before convening a meeting of the Senate Judicial Confirmation Committee,
87 the chair shall:

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

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

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

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

95 Section 2. **Effective date.**

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