

FY17

On August 16, 2016, the JCC dismissed a self-reported complaint by a part-time justice court judge who had represented a juvenile in a criminal court case in violation of Utah Code Ann. § 78A-7-206(2). The JCC found that the judge's actions violated Rule 1.1, which requires judges to comply with the law. However, the JCC also found that the misconduct was troubling but relatively minor misbehavior for which no public sanction was warranted.

On March 21, 2017, the JCC dismissed a complaint filed against a district court judge who made two offensive statements about an excused juror during sidebar discussions with the prosecutor and defense counsel. The JCC found that the judge's actions violated Rules 2.3(B) and 2.8 (B) of the Code of Judicial Conduct regarding Bias and Decorum. The JCC also found the comments violated Utah Standards of Judicial Professionalism and Civility Rule 11-302(2) which provides that judges will not use language that is vulgar or profane. However, the JCC also found that the misconduct was troubling but relatively minor misbehavior for which no public sanction was warranted.

On March 21, 2017, the JCC dismissed a complaint filed against a justice court judge who had revoked the appointment of counsel for an indigent criminal defendant when the defendant failed to appear. The JCC found the judge's actions violated Rule 1.1, which requires judges to comply with the law affording the right to counsel if indigent until the court determines that the defendant's financial circumstance have changed. The appointment of counsel is based on indigence and cannot be conditioned on a defendant's failure to appear without just cause or used as a sanction. However, the JCC also found that the misconduct was troubling but relatively minor misbehavior for which no public sanction was warranted.

On May 16, 2017, the JCC dismissed a complaint filed against a juvenile court judge who had failed to ensure notice and an adequate record of permitted ex-parte communications. The JCC found that the judge's actions violated Rule 2.9(A)(1)(b), which is an exception to the prohibition on ex-parte communications requiring notice and an adequate record is maintained. However, the JCC also found that the misconduct was troubling but relatively minor misbehavior for which no public sanction was warranted.