



# UTAH JUDICIAL CONDUCT COMMISSION ANNUAL REPORT FY 2024

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[www.jcc.utah.gov](http://www.jcc.utah.gov)

## Creation and Authority of the Judicial Conduct Commission

Although it existed previously as a legislatively created body, Utah’s Judicial Conduct Commission (JCC) was constitutionally established in 1984. Constitution of Utah, Article VIII, Section 13. The constitution authorizes the Legislature to statutorily establish the composition and procedures of the JCC. Those provisions are found in Utah Code Ann., Title 78A, Chapter 11.

The JCC is empowered to investigate and conduct confidential hearings regarding complaints against state, county and municipal judges throughout the state. The JCC may recommend the reprimand, censure, suspension, removal, or involuntary retirement of a judge for any of the following reasons:

- action which constitutes willful misconduct in office;
- final conviction of a crime punishable as a felony under state or federal law;
- willful and persistent failure to perform judicial duties;
- disability that seriously interferes with the performance of judicial duties; or
- conduct prejudicial to the administration of justice which brings a judicial office into disrepute.

Prior to the implementation of any such JCC recommendation, the Utah Supreme Court reviews the JCC’s proceedings as to both law and fact. The Supreme Court then issues an order implementing, rejecting, or modifying the JCC’s recommendation.

## Number of Complaints Received in FY 2024

Of the 183 complaints received in FY 2024, 144 have been resolved and 39 are pending.

Complaints Received in FY 2024			
Judge Type	Number of Judges	Number of Complaints Received	Number of Judges Named in Complaints*
Appellate Courts	12	0	0
District	72	121	49
Juvenile	31	19	7
Justice Court	98	41	16
Pro Tempore	67	2	2
Active Senior	38	0	0
Total	318	183	112

(\*Starting in FY19 and going forward, the JCC counts each judge once even though they may have been named in multiple complaints.)

## Confidentiality of JCC Records and Proceedings

Except in certain limited circumstances specified by statute, all complaints, papers and testimony received or maintained by the JCC, and the record of any confidential hearings conducted by the JCC, are confidential, and cannot be disclosed.

## Sanctions and Other Resolutions

### Sanctions Implemented by the Utah Supreme Court

On July 3, 2023, the Supreme Court issued an Order of Public Censure against Judge Stevan Ridge for violations of Rules 2.2, 2.3(B), and 2.5(A) for questioning defendants requests for an interpreter, entering please without counsel or an interpreter, and not allowing a defendant to enter a not guilty plea as well as violations of Rules 1.2 and 2.8(B) for certain behavior and comments while on the bench, as well as violations of Rules 1.2 and Rule 2.5(A) for his use of medications while on the bench, as well as, violations of Rules 1.2 and 2.8(B) for his comments to a defendant, as well as violations of Rules 2.5(A) and 2.8(B) for his lack of diligence in failing to attend administrative meetings, communicate with court staff, and indecorous comments to court staff. A complete description of all the violations are available on the JCC website. In addition, the Supreme Court clarified “that a censure is a more severe discipline than a reprimand.”

On July 3, 2023, the Supreme Court issued an Order of Public Censure against Judge Stevan Ridge for violation of Rule 2.16(B) for retaliating against court staff after their cooperation in an earlier Judicial Conduct Commission investigation. After conducting a Formal Hearing, the Commission concluded that removal would have been an appropriate action in this matter, however, Judge Ridge had already retired. In light of their retirement, the Commission recommended the issuance of a public censure which the Supreme Court ordered.

On July 6, 2023, the Supreme Court issued an Order of Public Reprimand against Judge Brook Sessions for violations of Rules 1.1 and 1.2 for driving while intoxicated and the circumstances surrounding his misconduct. A complete description of the violation is available on the JCC website.

### Dismissals with Warnings Issued by the Judicial Conduct Commission

On December 19, 2023, the Judicial Conduct Commission (“the Commission”) dismissed a complaint against a justice court judge for violation of Rule 2.11(A)(1)(D) for failing to allow a defendant an opportunity to consider and reflect outside the judge’s presence, before waiving any potential conflict. The judge noticed that the case before them was from when the judge was a former city attorney. The judge asked if the defendant wanted to assert a conflict and come back another day. The defendant waived any conflict and the judge continued with the hearing. The judge accepted responsibility and explained that the misconduct was not intentional. The Commission found the behavior and misconduct were troubling but relatively minor for which no public sanction was warranted.

On September 18, 2023, the Judicial Conduct Commission (“the Commission”) dismissed a complaint against a district court judge for violation of Rule 2.8(B) for failing to control their temper, when they told a defendant “you’ve made me lose my temper . . . if I have to gag him and put him another room, I will.” The judge explained that the defendant had been very difficult and disruptive at almost every hearing and that the judge had warned the defendant over and over. In mitigation, the Commission recognized how difficult the defendant was. The judge took full responsibility for their behavior and was apologetic. The Commission found the behavior and misconduct were troubling but relatively minor for which no public sanction was warranted.

## Administrative Affairs

### Meetings

The JCC meets as needed on the third Tuesday of each month at the offices of the JCC. The JCC met eleven (11) times during FY 2024.

### Administrative Rules

The JCC's administrative rules are available on-line at [www.rules.utah.gov](http://www.rules.utah.gov).

### FY24 JCC Commissioners

Mark Raymond, Public Member  
Georgia Beth Thompson, Public Member  
Stephen Studdert, Public Member  
Cheylynn Hayman, Chair, Attorney Member  
Michele Ballantyne, Attorney Member  
Rep. Doug Owens  
Rep. Brady Brammer  
Sen. Jen Plumb  
Sen. Mike McKell  
Hon. David Mortensen  
Hon. Todd Shaughnessy (term ended)  
Hon. Michael Edwards (new)

### Website

The JCC's website, [www.jcc.utah.gov](http://www.jcc.utah.gov), contains in-depth information, links to related sites, annual reports, copies of public discipline documents, downloadable complaint forms and an online complaint portal.

### JCC Statutes

The statutes governing the JCC are located in Utah Code Ann., Title 78A, Chapter 11.

### Budget

Most of the JCC's budget is appropriated annually by the Legislature. For FY 2024, the legislative appropriation was \$376,100. The JCC had non-lapsing savings from FY 2023 in the amount of \$52,841. The JCC had total available funds of \$428,941. JCC expenses for FY 2024 were \$370,194, leaving a balance of \$56,135.

### JCC Staff

Alex G. Peterson, Executive Director  
Aimee Thoman, Investigative Counsel  
Cindie Cowles, Administrative Assistant

**UTAH JUDICIAL CONDUCT COMMISSION – COMPLAINT RESOLUTION PROCESS**

<b>INITIAL SCREENING</b>	<b>PRELIMINARY INVESTIGATION</b>	<b>FULL INVESTIGATION</b>	<b>FORMAL PROCEEDINGS</b>	
<p>Executive Director reviews each “complaint” to determine whether it is a complaint within the JCC’s jurisdiction.</p> <p>Staff returns non-JCC complaints (i.e., complaints against bar members or court employees) to complainant with appropriate instructions.</p> <p>For JCC complaints, staff prepares electronic and hard-copy files, sends acknowledgment letter to complainant, and returns hard-copy file to Executive Director.</p> <p>Executive Director assigns investigator.</p> <p><i>Note: Anonymous complaints are submitted directly to JCC members, who review and discuss the complaint and vote to either take no action or to have staff conduct a preliminary investigation.</i></p>	<p>Investigator conducts preliminary investigation, writes preliminary investigation report, and recommends whether to dismiss or to proceed to full investigation as to some or all allegations.</p> <p>Executive Director reviews preliminary investigation report and recommendation, and may revise either.</p> <p>Staff distributes preliminary investigation report and recommendation, along with pertinent materials, to JCC members.</p> <p>JCC meets, reviews and discusses preliminary investigation report and recommendation, and votes to dismiss, to have staff conduct additional preliminary investigation, or to proceed to full investigation as to some or all allegations.</p>	<p>Staff provides judge with copy of complaint and other pertinent materials and asks judge to respond in writing to identified allegations.</p> <p>Investigator conducts additional investigation, if necessary, as to issues raised in judge’s response. Investigator may write supplemental investigation report and may make recommendation whether to dismiss or to proceed to formal proceedings.</p> <p>Staff distributes judge’s response and any supplemental investigation report and recommendation, along with pertinent materials, to JCC members.</p> <p>JCC meets, reviews and discusses judge’s response and any supplemental investigation report and recommendation, and votes to dismiss, to have staff conduct additional investigation, or to proceed to formal proceedings as to some or all allegations.</p>	<p>Staff prepares formal complaint and serves same upon judge via certified mail.</p> <p>Judge may file written response.</p> <p>Matter may be resolved by dismissal, stipulated resolution or confidential hearing.</p> <p>A stipulated resolution may recommend:                      Reprimand                      Censure                      Suspension                      Removal from Office                      Involuntary Retirement</p> <p>After a confidential hearing, the JCC may dismiss the matter or may recommend:                      Reprimand                      Censure                      Suspension                      Removal from Office                      Involuntary Retirement</p>	<p>Staff fact, other mate Court</p> <p>JCC’s becom All ot publi Court</p> <p>Supr JCC’s law a imple rejec recor</p> <p><i>Note not r Supr</i></p>