



UTAH JUDICIAL CONDUCT COMMISSION ANNUAL REPORT FY 2025

1385 S. State St., Suite 401
Salt Lake City, Utah 84115
Telephone: (801) 468-0021
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 FY25 Complaints

Of the 197 FY25 complaints received, 164 were resolved and 33 are pending. 3 FY24 complaints are pending.

Complaints Received in FY 25			
Judge Type	Number of Judges	Number of Complaints Received	Number of Judges Named in Complaints*
Appellate Courts	12	1	1
District	78	138	71
Juvenile	33	15	10
Justice Court	65	37	21
Pro Tempore	50	4	4
Active Senior	35	2	2
Total	273	197	109

(*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

None

Dismissals with Warnings Issued by the Judicial Conduct Commission ("Commission")

On 16 July 2024, the Commission dismissed a complaint against a juvenile court judge for violation of Rule 1.1 by improperly granting a party's request to violate a temporary restraining order ("TRO") during a hearing. The judge was aware of the TRO and had no authority to permit its violation. After the hearing, they realized the error and recused at the next hearing after apologizing to all parties and publicly acknowledging the mistake. Subsequently, they self-reported to the presiding judge, met with Judicial Council members, and self-reported to the Commission. The Commission found the behavior and misconduct were troubling but relatively minor for which no public sanction was warranted.

On 17 October 2024, the Commission dismissed a complaint against a justice court judge for violations of:

1. Rule 2.8(B) The judge became impatient and found an attorney in contempt which was later vacated.
2. Rule 2.6(B) When defendants requested a trial, the judge required defendants to provide tax returns to verify indigency.
3. Rule 2.9(A) & (C) The judge spoke to a defendant's private probation provider without both parties and asked for a meeting with only prosecuting attorneys.
4. Rule 1.3 (cmt 1) In the prosecutor only meeting, they felt pressured by the judge.
5. Rule 2.4(B) & (C) The judge ordered recoupment fees with a mind of benefitting a county agency.

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.

Dismissals with Warnings continued...

On 3 December 2024, the Commission dismissed a complaint against a justice court judge for violation of Rule 2.8(B) for being impatient with a court clerk. The court clerk disagreed with the judge. Impatiently, the judge asked the clerk if they wanted to quit their job. 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.

On 4 March 2025, the Commission dismissed a complaint against a justice court judge for violation of Rules 1.3 and 2.4(B) for not allowing defendants a choice in probation services providers ("PSP") by offering only one PSP or assigning the same PSP without any input from the defendant. This conduct may be viewed as advancing the interests of such PSP or seem that the judge might be influenced by that PSP. The judge understands this conduct has a negative impact on the confidence and integrity of the judiciary. 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.

On 4 March 2025, the Commission dismissed a complaint against a district court judge for violation of Rule 2.5(A) by not issuing an expeditious ruling. Despite the complexity of the case, challenging parties, and personal impediments, the judge acknowledged lacking diligence in issuing rulings. 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 first Tuesday of each month at the offices of the JCC. The JCC met ten (10) times during FY25.

Administrative Rules

The JCC's administrative rules are available on-line at www.rules.utah.gov.

FY25 JCC Commissioners

Mark Raymond, Public Member (term ended)
Pending appointment, Public Member (new)
Georgia Beth Thompson, Public Member
Stephen Studdert, Public Member
Cheylynn Hayman, Chair, Attorney Member
Michele Ballantyne, Attorney Member
Rep. Doug Owens (term ended)
Rep. Grant Miller (new)
Rep. Brady Brammer (term ended)
Rep. Jordan Teuscher (new)
Sen. Jen Plumb
Sen. Mike McKell (term ended)
Sen. Brady Brammer (new)
Hon. David Mortensen (term ended)
Hon. Ryan Harris (new)
Hon. Michael Edwards

Website

The JCC's website, 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 FY25, the legislative appropriation was \$849,200. The JCC had non-lapsing savings from FY24 in the amount of \$54,579. The JCC received an FY25 supplemental appropriate of \$11,000. In FY25, the JCC had total available funds of \$914,779. The JCC expenses for FY25 were \$499,021; leaving a balance of \$415,758. The JCC will reserve \$350,000 in non-lapsing savings for FY26. The JCC will lapse \$64,911 back to the General Fund.

JCC Staff

Alex G. Peterson, Executive Director
Aimee Thoman, Investigative Counsel
Joe McGivern, Judicial Investigator
Cindie Cowles, Administrative Assistant

UTAH JUDICIAL CONDUCT COMMISSION – COMPLAINT RESOLUTION PROCESS				
INITIAL SCREENING	PRELIMINARY INVESTIGATION	FULL INVESTIGATION	FORMAL PROCEEDINGS	SUPREME COURT
Executive Director reviews each “complaint” to determine whether it is a complaint within the JCC’s jurisdiction. Staff returns non-JCC complaints (i.e., complaints against bar members or court employees) to court employees) to complainant with appropriate instructions. For JCC complaints, staff prepares electronic and hard-copy files, sends acknowledgment letter to complainant, and returns hard-copy file to Executive Director. Executive Director assigns investigator. <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>	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. Executive Director reviews preliminary investigation report and recommendation, and may revise either. Staff distributes preliminary investigation report and recommendation, along with pertinent materials, to JCC members. JCC meets, reviews and discusses preliminary investigation report and votes to dismiss, to have staff conduct additional preliminary investigation, or to proceed to full investigation as to some or all allegations.	Staff provides judge with copy of complaint and other pertinent materials and asks judge to respond in writing to identified allegations. 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. Staff distributes judge’s response and any supplemental investigation report and recommendation, along with pertinent materials, to JCC members. 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.	Staff prepares formal complaint and serves same upon judge via certified mail. Judge may file written response. Matter may be resolved by dismissal, stipulated resolution or confidential hearing. A stipulated resolution may recommend: Reprimand Censure Suspension Removal from Office Involuntary Retirement After a confidential hearing, the JCC may dismiss the matter or may recommend: Reprimand Censure Suspension Removal from Office Involuntary Retirement	Staff files JCC’s findings of fact, recommendation and other statutorily required materials with Supreme Court. JCC’s recommendation becomes public upon filing. All other materials become public only upon Supreme Court order. Supreme Court reviews JCC’s proceedings as to both law and fact, and implements, modifies or rejects JCC’s recommendation. <i>Note: JCC dismissals are not reviewed by the Supreme Court.</i>