

AGENDA

JUDICIAL CONDUCT COMMISSION MEETING

**Tuesday, 10 March 2026
11:00 a.m.**

**Judicial Conduct Commission
645 S. 200 E.
Utah State Bar Boardroom
Salt Lake City, Utah 84115**

NO.	ITEM	REPORTING	TAB
1	Welcome, Call to Order, Public Comment – Introduction to Office of Professional Conduct	Chair	1
2	Approval of Public Minutes	Chair	2
3	Director's report	Alex Peterson	3
4	Budget	Alex Peterson	4
5	Statistical Report	Alex Peterson	5
6	Motion to Close Public Meeting Approval of Confidential Minutes Confidential Matters	Chair	6
7	Next Meeting	Chair	
8	Other Business	Chair	
9	Adjournment	Chair	

Notice is hereby provided that the JCC will be meeting in person at the above location. The public is invited to attend at the address above.

Persons with disabilities who require special accommodations are requested to contact the Judicial Conduct Commission, (801) 468-0021, at least 48 hours before the scheduled meeting date and time.

Tab 2

**MINUTES OF THE PUBLIC PORTION OF THE
JUDICIAL CONDUCT COMMISSION MEETING**

Tuesday, 6 January 2026 at 11:00 a.m.

**Judicial Conduct Commission
1385 S. State Street
Salt Lake City, Utah 84115**

Meeting was conducted at anchor location

Present:

Ms. Cheylynn Hayman Chair
Ms. Michele Ballantyne Vice-
Chair (video)
Rep. Jordan Teuscher (video)
Rep. Grant Miller
Sen. Brady Brammer (video)
Sen. Jen Plumb (video)
Hon. Ryan Harris
Hon. Michael Edwards (video)
Mr. Stephen Studdert
Ms. Georgia Thompson
Ms. Linda Dunn (video)

Excused:

Staff:

Alex Peterson
Cindi Cowles
Joe McGivern

Guests / Public: None

1. Welcome. Chair called the meeting to order. Public comment allowed, none was given.

2. Approval of Minutes.

Motion: Mr. Studdert To approve the minutes of the public portion of the 2
December 2025 meeting as corrected.

Second: Ms. Thompson

Vote: Unanimous

3. Director's Report. Mr. Peterson reviewed the Director's Report, updating the Commission on AJDC / CJEⁱ (x2), JPECⁱⁱ (x0), CCJJⁱⁱⁱ (x3), UCCD^{iv} (x0), AOC^v (x0), and GRAMA^{vi}/Press (0) monthly requests. Staff reported on October Judicial Ethics Conference travel claims. Director provided an update on budget and work with legislative analyst to update JCC statute.

4. Budget. Staff reported on the FY25 budget through November 30, 2025 with total expenditures of \$203,688. Prior year savings and legislative additions to budget resulted in a carry forward balance of \$350,000. The JCC spent 21.8% of available funds through 45.5% of current FY.

5. Statistical Report.

Number of complaints filed to date in FY26	93
Number of cases pending before the Supreme Court	0
Number of cases under formal charges	4
Number of cases under full investigation	9
Number of cases under preliminary investigation	33

	Total number of open files	46
Oldest Case		305 days
Average Case age		72 days

In FY26, zero (0) Public Actions and two (2) Dismissal with Warnings have been issued. Fifteen (15) reconsideration requests received to date.

It has been acknowledged that the greater public access to complaint forms via the online complaint portal starting in FY22 has resulted in a significantly increased complaint case load with no similar increase in meritorious complaints submitted. Staff implemented a loading page for the online complaint portal to emphasize the correct way to file appeals.

6. Closure of Meeting via roll call vote.

Motion: Hon. Harris To close the meeting to the public for the purpose of discussing: the character, professional competence, or physical or mental health of an individual; or investigative proceedings regarding allegations of criminal misconduct; or pending or reasonably imminent litigation; or matters covered by attorney client privilege.

Second: Ms. Thompson

Vote: Unanimous By roll call

At the conclusion of the confidential portion of the meeting, the meeting was re-opened to the public.

7. Next Meeting and other matters. The Commissioners agreed to conduct a public meeting on 10 March at the anchor location at 11:00 am. The Chair approved Commissioner electronic attendance.

8. Adjournment.

Motion: Ms. Hayman To adjourn.

Second: Not required

Vote: Unanimous

ⁱ Association of Judicial Disciplinary Counsel / Center for Judicial Ethics

ⁱⁱ Judicial Performance Evaluation Commission

ⁱⁱⁱ Commission on Criminal and Juvenile Justice

^{iv} Utah Council for Citizen Diplomacy

^v Administrative Office of the Courts

^{vi} Government Records Access and Management Act

Tab 3



Alex G. Peterson
Executive Director

State of Utah

JUDICIAL CONDUCT COMMISSION

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

MEMORANDUM

TO Judicial Conduct Commissioners

FROM Alex G. Peterson

DATE 5 March 2026

RE Director's Report

MESSAGE

1. JCC staff activities that have occurred beyond investigative responsibilities since our last meeting.
2. Information requests regarding the JCC processes / organization:

AJDC / CJE - 2, JPEC - 2, judicial nominations / CCJJ - 1, UCCD - 0, AOC / judicial retirements - 1 and GRAMA / Press - 0.
3. Director submitted travel claims for attorneys and public member.
4. Director provided attached report and testimony to legislature.

AJDC / CJE is the Association of Judicial Disciplinary Counsel / Center for Judicial Ethics
JPEC is the Judicial Performance Evaluation Commission
CCJJ is the Commission on Criminal and Juvenile Justice
UCCD is the Utah Council for Citizen Diplomacy
AOC is the Administrative Office of the Court
GRAMA is the Government Records Access and Management Act



Alex G. Peterson
Executive Director

State of Utah

JUDICIAL CONDUCT COMMISSION

1385 S. State St., Suite # 401
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TO General Government Appropriations Subcommittee

FROM Alex G. Peterson, Executive Director

DATE January 29, 2025

RE Judicial Conduct Commission (JCC) Legislative Update

MESSAGE

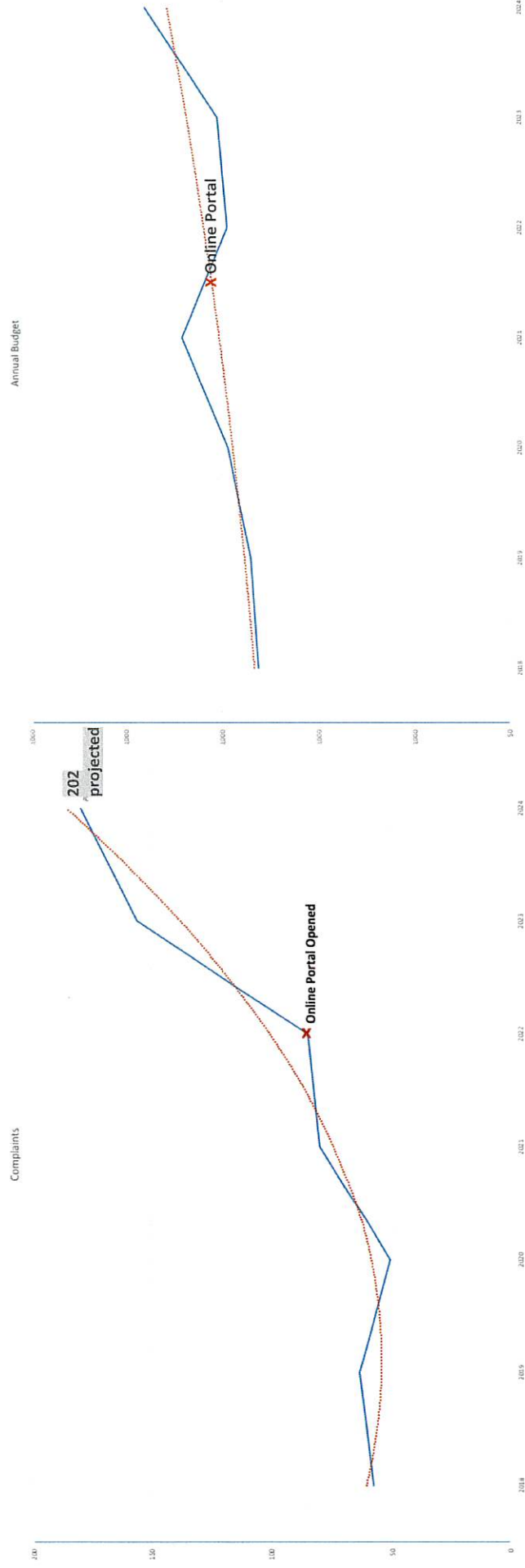
1. As an independent agency, the JCC receives, investigates, and resolves ethics complaints against Utah judges.
2. Membership (11 - 4 legislative appts, 4 judiciary appts, 3 gubernatorial appts)
 - a. New Members: Rep. Grant Miller (D), Judge Ryan Harris (CoA), Ms. Linda Dunn, Public Member.
 - b. Other Members: Ms. Cheylynn Hayman, Chair, Ms. Michelle Ballantyne, Judge Michael Edwards (2D), Rep. Jordan Teuscher (R), Sen. Brady Brammer (R), Sen. Jen Plumb (D), Mr. Stephen Studdert, and Ms. Georgia Thompson.
3. Caseload update and analysis
 - a. On 31 Dec 2025, 101 cases in FY26 (197 - FY25, 183 - FY24; 156 - FY23; 85 - FY22; 80 - FY21; 51 - FY 20; 64 - FY19; 58 - FY18).
 - b. In FY26, 0 public dispositions and 2 Dismissals with Warning (DWW) (FY25, 0 public actions and 5 DWWs, FY24, 3 public punitive reprimands and 4 DWWs; FY23, 0 public actions and 0 DWW; FY22, 0 public actions and 1 DWW).
4. Misc. Activities
 - a. JCC meets monthly at our Salt Lake City anchor location.
 - b. Our PTE Judicial Investigator was moved to FTE (authorized structure: 1 FTE Ex. Dir., 2 FTE Judicial Investigators, and 1 PTE Admin. Ass't).
 - c. Statutory update – GRAMA alignment, conflict of interest removal.
 - d. Utah Judicial Ethics trends include reactive complaints (Persky'ed phenomena), social media influence (private behavior becoming public), and balancing judicial independence with accountability (both critical components).
5. Since 2019, the JCC annually reports the following performance measures.
 - a. Timely publication of an annual report with all dispositions in the last year (target: 60 days from the end of the fiscal year). We published our annual report on July 15th, 2025; 45 days before our target.
 - b. Annualized average number of days to conduct a preliminary investigation (target: 90 days). Our annualized number of days to conduct a preliminary investigation was 72 days; 18 days quicker than our target.

Utah Judicial Conduct Commission

- Constitutionally required, the JCC is an independent Utah agency with membership from all three branches of government and the public that provides investigation and resolution of ethical complaints against Utah judges. It also supports educative efforts of the judiciary and Utah to increase the confidence in our judicial officers.
- JCC increased constituency access and ability to file complaints. Resolving the increased complaints resulted in increased costs which the legislature continues to adequately fund.

Utah Judicial Conduct Commission historically

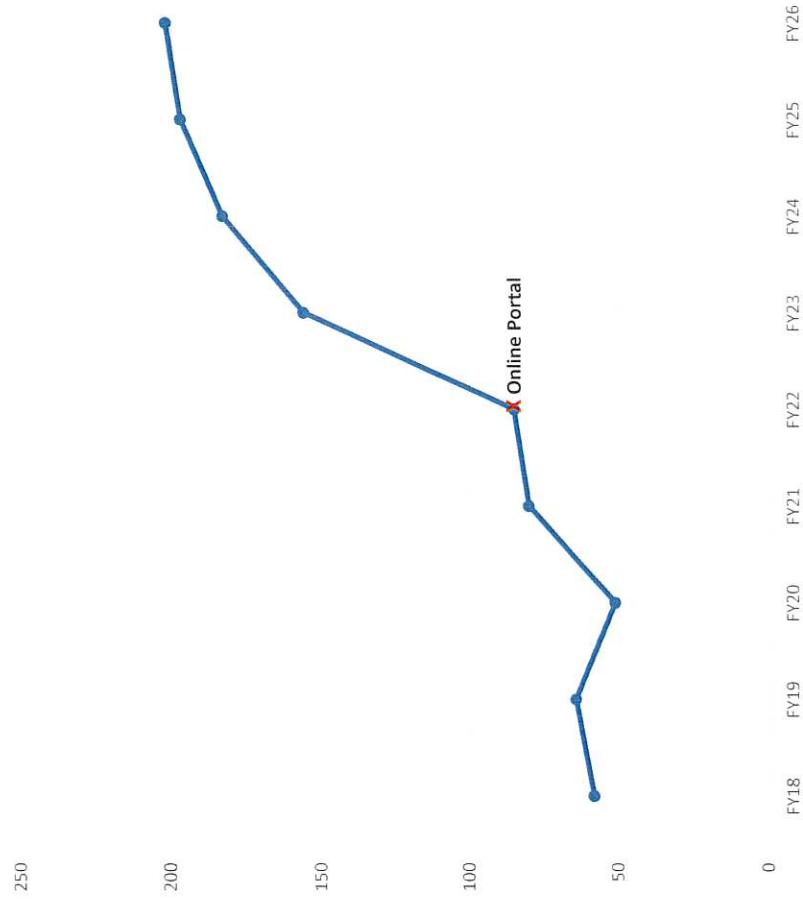
Increase in complaints / Increase in budget / Outcomes stabilized



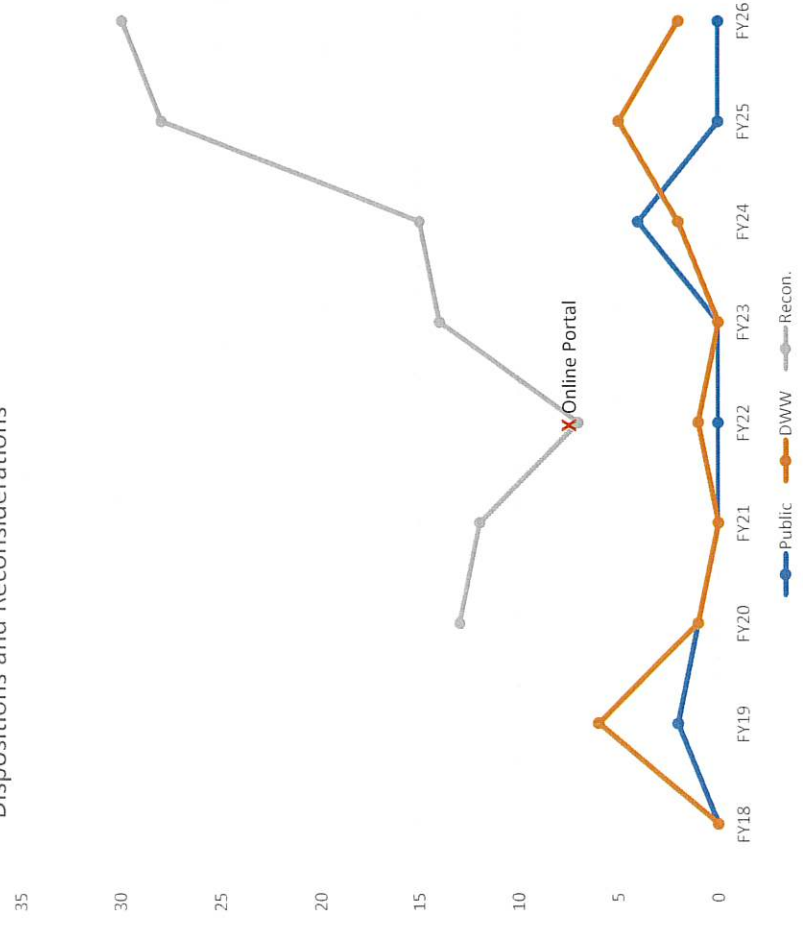
Increase in complaints likely a result of greater access; NOT judicial misconduct.

Complaints v Dispositions

Complaints



Dispositions and Reconsiderations



Key take-aways

- Performance
 - Publication of dispositions: 45 days sooner than target
 - Conduct of preliminary investigations: 18 days sooner than target
- Statutory updates
 - Alignment with GRAMA
 - Removal of conflict of interest
- Trends
 - Reactive complaints (Persky'ed phenomena)
 - Social media influence (private behavior becoming public)
 - Balancing judicial independence with accountability



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 appropriation 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 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 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>

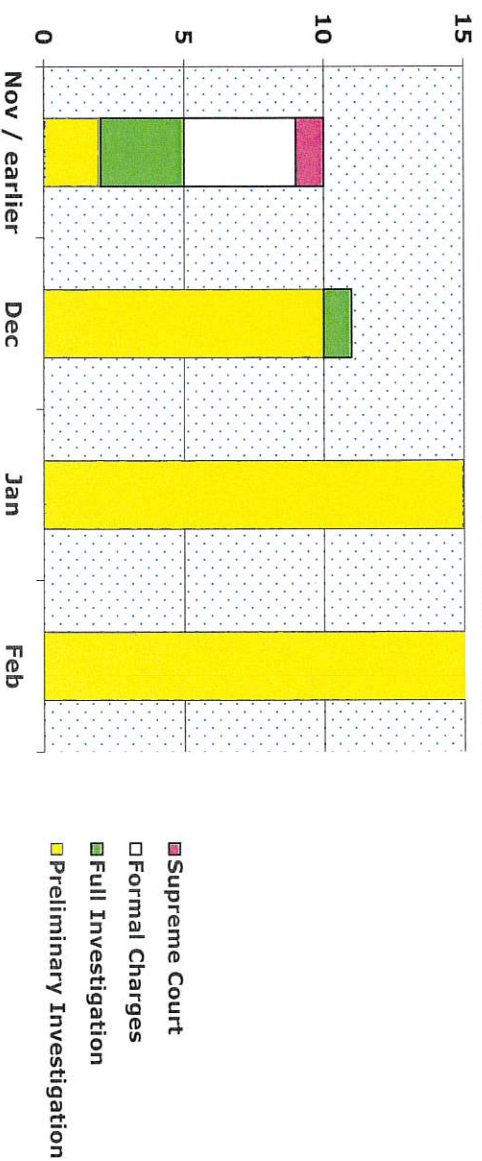
Tab 4

FY 2026 Budget Report - Through January 31, 2026

Description	Amount	Balance
FY 2026 Legislative Appropriation	\$584,200	\$584,200
Estimated FY 2025 Savings Carried into FY 2026	\$350,000	\$934,200
FY 2025 Expenditures through January 31, 2026	\$320,980	613,220
Percent of Current Fiscal Year Passed as of January 31, 2026	58.3%	
Percent of Legislative Appropriation Spent as of January 31, 2026	54.9%	
Percent of Available Funds Spent as of January 31, 2026	34.4%	
Estimated Carry Over From Prior Years	\$350,000	
Projected Remaining Balance Excluding the Balance From Prior Years	\$395,000	
Authorized non-lapsing Balance	\$350,000	

Tab 5

PENDING CASES



	Nov / earlier	Dec	Jan	Feb	Total
Preliminary Investigation	2	10	15	20	57 In Process
Full Investigation	3	1	1	0	
Formal Charges	4	0	0	0	
Supreme Court	1	0	0	0	
Total	10	11	16	20	

New Complaints Received Since 1/6/2026 **33**
Net Increase/Decrease Since 1/6/2026 **11**

Oldest Case / Goal / Previous **368 days / 180 days / 305 days**
Ave. Case age / Goal / Previous **68 days / 90 days / 72 days**
 Supreme Court & Formal Charges cases excluded

FY 26 to date
Total FY 24/FY 25/FY 26 complaints **183/197/ 136**
Total Reconsideration Requests FY25 / FY26 **28/ 19**
Total DWW FY25/FY26 **5 / 3**
Total Public Actions FY25/FY26 **0/ 0**