

AGENDA

JUDICIAL CONDUCT COMMISSION MEETING

**Tuesday, 6 October 2026
11:00 a.m.**

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

NO.	ITEM	REPORTING	TAB
1	Welcome, Call to Order, Public Comment	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 our anchor location. The public is invited to attend at anchor location 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, 1 September 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
Rep. Jordan Teuscher
Hon. Ryan Harris
Hon. Michael Edwards (video)
Ms. Linda Dunn
Mr. Stephen Studdert

Excused:

Ms. Michele Ballantyne, Vice-Chair
Rep. Grant Miller
Sen. Brady Brammer
Sen. Jen Plumb
Ms. Georgia Thompson

Staff:

Alex Peterson
Aimee Thoman
Joe McGivern

Guests / Public: Brian
Dean, Madison Hoover

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

2. Approval of Minutes.

Motion: Mr. Studdert To approve the minutes of the public portion of the 4 August 2026 meetings.

Second: Ms. Dunn

Vote: Unanimous

3. Director's Report. Director updated the Commission on AJDC / CJEⁱ (x2), JPECⁱⁱ (x0), CCJJⁱⁱⁱ (x5), UCCD^{iv} (x0), AOC^v (x1), and GRAMA^{vi}/Press (1) monthly requests. Director reported on status of Legislative Audit, implementation of JCC email addresses, and hiring of Case Manager / Privacy Officer. Director reported on 2026 AJDC conference and training. Director provided draft Administrative Rules which were discussed. Director updated status of JCC Confidentiality Policy implementation. Director reported that FY26 JCC Annual Report was posted on public website and distributed to legislature. In addition, the Director reported that website was similarly updated. In response to a Commissioner question, Director reported that generally increased complaints were based on adverse rulings and the possible ease of the JCC complaint process compared to the appellate review process.

4. Budget. Staff reported on the FY26 budget through July 31, 2026, with total expenditures of \$33,023. Prior year savings and legislative additions to budget resulted in a carry forward balance of \$400,000. The JCC spent 5% of appropriated funds through 17% of current FY.

5. Statistical Report.

Number of complaints filed to date in FY27	39
Number of cases pending before the Supreme Court	6
Number of cases under formal charges	0
Number of cases under full investigation	4

Number of cases under preliminary investigation	28
Total number of open files	38

Oldest Case	152 days
Average Case age	33 days

In FY27, zero (0) Public Actions and two (2) Dismissals with Warnings have been issued. Five (5) reconsideration requests received to date.

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; matters covered by attorney client privilege or specific security measures.

Second: Mr. Studdert

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 6 October 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 1 Oct 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 - 1, JPEC - 0, judicial nominations / CCJJ - 0, UCCD - 0, AOC / judicial retirements - 0 and GRAMA / Press - 0.
3. Legislative Audit completed and agency response attached. Hired Corena Hammer as Case Manager / Privacy Officer position. Distributed AI training to Commissioners from AJDC conference.

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



Cheylynn Hayman
Chair

Alex G. Peterson
Executive Director

State of Utah

JUDICIAL CONDUCT COMMISSION

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

September 18, 2026

Kade R. Minchey, Auditor General
Office of the Legislative Auditor General
Utah State Capitol Complex
Rebecca Lockhart House Building, Suite W315
PO Box 145315
Salt Lake City, Utah 84114-5212

Re: A Performance Audit of the Utah Judicial Conduct Commission:
Strengthening Governance, Decision Making and Accountability (2026-024)

Dear Mr. Minchey:

Thank you for your performance audit's recommendations. As your audit acknowledges, we are an extremely small agency that has not been audited by your office in over 20 years. While the Judicial Conduct Commission has been successfully meeting its statutory and constitutional obligations, we understand there is always room for improving our processes. Accordingly, we sincerely appreciate the personnel time, energy, and effort put into this audit.

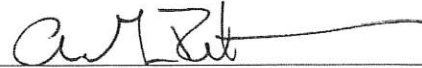
We acknowledge the unique impartial and independent nature of the Judicial Conduct Commission. We agree that the audit's recommendations may result in performance improvements. We look forward to exploring these with the Commission¹ as well as other performance improvements the Commission has already undertaken that are not referenced in your audit, such as enhanced confidentiality protocols, commissioner types, responsibilities, and performance procedures, and the scope of commissioner authority.

¹ The authority over the governance of the Commission per the Utah Constitution Article VIII, Section 13 and Utah Code 78A-11-103 resides with the Commission itself.

We have provided specific responses to the recommendations below.

We are committed to performance improvements to ensure the Commission's success while effectively and efficiently using taxpayer funds to continue to meet our statutory and constitutional obligations to the citizens of Utah.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. G. Peterson', written over a horizontal line.

A. G. Peterson
Executive Director

SPECIFIC AGENCY (JCC) RESPONSE TO RECOMMENDATIONS

Recommendation 1.1 (Governance)

The Legislature should consider strengthening the Judicial Conduct Commission's governance structure by expanding the Executive Committee's oversight responsibilities and clearly defining its accountability and oversight role in Utah Code.

1. How: By providing administrative, staffing, and coordination support
2. Who: the Executive Director will collaborate with legislator commissioners and other constituent branches
3. What: to prepare appropriate proposed draft legislation regarding the Executive Committee's oversight roles and responsibilities
4. Documentation: resulting in draft legislation for consideration
5. When: proposal through appropriate legislator commissioners during the next general legislative session.

Recommendation 1.2 (Structure)

The Judicial Conduct Commission's Executive Committee should develop recurring processes, as outlined in the following chapters, for reviewing investigative quality, commissioner training and decision-making guidance, data quality, performance reporting, policy implementation, and organizational risks, and report the results of those reviews to the full commission.

1. How: By providing administrative, staffing, and coordination support
2. Who: the Executive Director will meet with the Executive Committee members
3. What: and propose recurring Executive Committee review processes for adoption and regular review by the Commission
4. Documentation: resulting in published and scheduled Commission review processes
5. When: proposal by no later than July 2027.

Recommendation 2.1 (Process)

The Judicial Conduct Commission's Executive Director should establish investigative documentation standards that require evidence and investigative conclusions to be:

- clearly linked
- supported by source citations
- address all allegations within the scope of the investigation

Investigative reports should include these elements to consistently demonstrate how conclusions were reached and that all allegations were considered.

1. How: By providing administrative, research, staffing, and coordination support
2. Who: the Executive Director, Investigative staff, and case manager
3. What: will establish, prepare, and promulgate investigation documentation standards by policy and implemented into investigative reports
4. Documentation: that is included specifically in all investigation reports and generally in a Commission procedures manual
5. When: no later than March 2027.

Recommendation 2.2 (Process)

The Judicial Conduct Commission's Executive Director should require investigators to document significant investigative steps that were considered but not pursued, including the rationale for those decisions, so that investigative files consistently document the basis for significant investigative decisions.

1. How: By providing administrative, research, staffing, and coordination support
2. Who: the Executive Director, Investigative staff, and case manager
3. What: will establish, prepare, and promulgate policy guidance directing documentation of all investigative steps and rationales with certifying document
4. Documentation: that is included specifically in all investigation reports and generally in a Commission procedures manual
5. When: no later than March 2027.

Recommendation 2.3 (Structure)

The Judicial Conduct Commission's Executive Director should implement a documented quality assurance review process for completed investigations that identifies and corrects deficiencies before cases are presented to the Commission. Successful implementation will result in investigation files consistently undergoing documented quality assurance review and identified deficiencies being corrected prior to Commission consideration.

1. How: By providing administrative, staffing, and oversight
2. Who: the Executive Director, Investigative staff, and case manager
3. What: will establish, prepare, and promulgate a documented quality review process and certifying document for all investigations
4. Documentation: that is included specifically in all investigation reports and

- generally in a Commission procedures manual
5. When: no later than March 2027.

Recommendation 2.4 (Governance)

The Judicial Conduct Commission's Executive Committee should establish a recurring process for overseeing investigation quality by reviewing quality assurance results, identifying systemic issues or training needs, and reporting significant concerns to the full Commission.

1. How: By providing administrative, staffing, and coordination support
2. Who: the Executive Director will meet with the Executive Committee members
3. What: and propose recurring Executive Committee review processes for adoption and regular review by the Commission
4. Documentation: resulting in published and scheduled Commission review processes
5. When: proposal by no later than December 2027, following the expanded authority proposed for the Executive Committee as set forth in Recommendation 1.1.

Recommendation 3.1 (Structure/Leadership)

The Executive Director and Executive Committee of the Judicial Conduct Commission should work with the court to establish a decision-making framework in Administrative Rule. This framework should define all available private and public sanctions, identify the relative severity of each sanction, specify aggravating and mitigating factors, and provide guidance on when each sanction may be appropriate. Successful implementation will result in a clear framework that commissioners regularly use to make decisions.

1. How: By providing administrative, staffing, and coordination support
2. Who: the Executive Director will meet with the Executive Committee members and judiciary representatives
3. What: to draft and propose Administrative Rule changes to the Commission for adoption that establishes a decision-making framework that defines sanctions, factors, and guidance for application
4. Documentation: resulting in proposed Administrative Rule change
5. When: proposal to court by no later than December 2027, following the expanded authority proposed for the Executive Committee as set forth in Recommendation 1.1.

Recommendation 3.4 (Structure/Leadership)

The Judicial Conduct Commission's Executive Director should update the member disqualification policy by clearly defining disclosure, recusal, and disqualification, and outline when each process applies and the extent to which each should occur to ensure consistent handling of conflicts of interest.

1. How: By providing administrative, staffing, and oversight
2. Who: the Executive Director
3. What: will draft, and propose to the Commission for adoption an updated member disqualification policy
4. Documentation: that is included in monthly commission packets, commissioner training materials, and generally in a Commission procedures manual
5. When: no later than December 2027.

Recommendation 4.1 (Structure)

The Judicial Conduct Commission should develop a comprehensive information management policy. This policy should define data quality expectations, assign responsibility for data entry and review, and establish security and retention expectations. Successful implementation should result in complete, accurate, secure, and consistently managed information that staff and commissioners can rely on for daily operations, reporting, and decision-making.

1. How: By providing administrative, staffing, and coordination support
2. Who: the Executive Director with case manager will draft an information management policy
3. What: to propose to the Commission for adoption that defines data quality expectations, responsibility, security, and retention for use by staff and commissioner
4. Documentation: that is documented in a Commission procedures manual
5. When: proposal by no later than May 2027.

Recommendation 4.2 (Process)

The Judicial Conduct Commission should annually review its complaint database for accuracy and completeness and document the results of those reviews. These reviews should be included as part of the executive director's role and considered in the executive director's evaluations. Successful implementation should result in clear accountability for data quality.

1. How: By providing administrative, staffing, and coordination support
2. Who: the Executive Director and the staff will prepare

3. What: for a Commission annual review of the complaint database for quality assessment at the end of each Fiscal Year
4. Documentation: which assessment will be included in the Executive Director's annual evaluation
5. When: no later than July 2027.

Recommendation 4.3 (Governance)

The Legislature should consider increasing the amount and type of information that the Judicial Conduct Commission is required to report in its annual report and to the Judiciary Interim Committee. Additional measures could include:

- Complaint sources and types
 - Complaint areas of law
 - Number of non-jurisdictional complaints
 - Number of complaints dismissed
 - Reasons complaints were dismissed
 - Time to disposition
 - Complaint processing stages
 - Complaint trends over time
 - Recusals by commissioners and Judicial Conduct Commission staff
1. How: By providing administrative, staffing, and coordination support
 2. Who: the Executive Director will collaborate with legislator commissioners and other constituent branches
 3. What: to prepare appropriate proposed draft legislation regarding broadening reporting requirements to the Judiciary and Legislature, at a sufficiently aggregated level so as not to compromise the confidentiality of the Commission's work
 4. Documentation: resulting in draft legislation for consideration
 5. When: proposal through appropriate legislator commissioners during the next general legislative session.

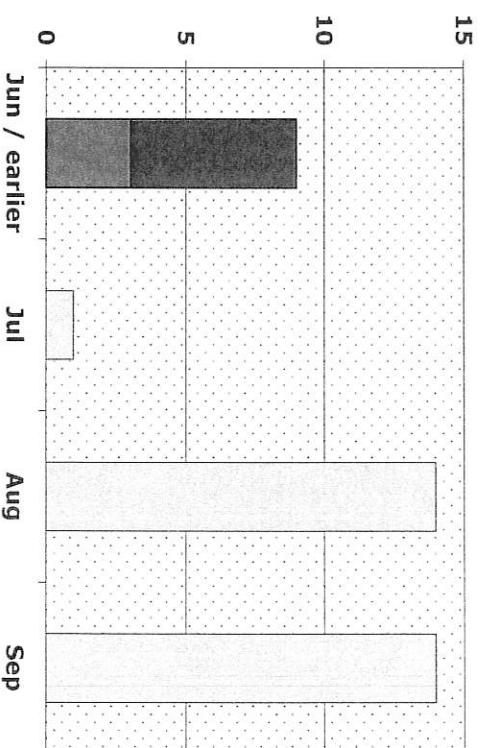
Tab 4

FY 2027 Budget Report - August 31, 2026

Description	Amount	Balance
FY 2027 Legislative Appropriation	\$656,000	\$656,000
Estimated FY 2026 Savings Carried into FY 2027	\$400,000	\$1,056,000
FY 2027 Expenditures through August 31, 2026	\$76,555	525,017
Percent of Current Fiscal Year Passed as of August 31, 2026	17.0%	
Percent of Legislative Appropriation Spent as of August 31, 2026	11.7%	
Percent of Available Funds Spent as of August 31, 2026	7.2%	
Estimated Carry Over From Prior Years	\$400,000	
Projected Remaining Balance Excluding the Balance From Prior Years	\$400,000	
Authorized non-lapsing Balance	\$400,000	

Tab 5

PENDING CASES



- Supreme Court
- ▒ Formal Charges
- Full Investigation
- Preliminary Investigation

	Jun / earlier	Jul	Aug	Sep	Total
Preliminary Investigation	0	1	14	14	
Full Investigation	3	0	0	0	
Formal Charges	0	0	0	0	
Supreme Court	6	0	0	0	
Total	9	1	14	14	38 In Process

New Complaints Received Since 9/1/2026 **17**

Net Increase/Decrease Since 9/1/2026 **0**

Oldest Case / Goal / Previous **138 days / 180 days / 152 days**

Ave. Case age / Goal / Previous **36 days / 90 days / 33 days**

Supreme Court & Formal Charges cases excluded

FY 27 to date

Total complaints FY 24/FY 25/FY 26/ FY 27 **183/197/221 / 60**

Total Reconsideration Requests FY25 / FY26 / FY27 **28/36 / 8**

Total DWW FY265/FY26/FY27 **5/3 / 2**

Total Public Actions FY25/FY26/FY27 **3/3 / 0**