

**V**  **T E**

**LEAVE YOUR PRINT**

# Utah Voter Information Pamphlet

General Election  
November 4, 2008



Early Voting Information, Page 78  
Electronic Voting Instructions, Page 75

[www.LeaveYourPrint.com](http://www.LeaveYourPrint.com)

STATE OF UTAH  
OFFICE OF THE LIEUTENANT GOVERNOR



GARY R. HERBERT  
LIEUTENANT GOVERNOR

September 8, 2008

Dear Utah Voters:

Thank you for taking the time to read the enclosed material as you learn more about the 2008 General Election in Utah.

This year, the Lieutenant Governor's Office is excited to present the 2008 Voter Information Pamphlet along with many new features available online at [LeaveYourPrint.com](http://LeaveYourPrint.com).

In addition to the information provided in these pages, you can visit [LeaveYourPrint.com](http://LeaveYourPrint.com) and find more information about candidates and issues than ever before. It is our goal to make [LeaveYourPrint.com](http://LeaveYourPrint.com) your destination for answers to any election-related question you might have.

For instance, at [LeaveYourPrint.com](http://LeaveYourPrint.com) you can find out who is running for office in your district or who your current elected officials are and a little bit of information about them. You can also find a list of Early Voting locations in your county or where to vote on Election Day. Our website also provides an interactive voting machine demonstration to help you become familiar with our voting equipment.

As always, if you need assistance of any kind, my office stands ready to serve. You can call us at 1.800.995.VOTE (8683), email me at [gherbert@utah.gov](mailto:gherbert@utah.gov) or stop by our office in the State Capitol.

Congratulations on doing your part to move our democracy forward and for leaving *your* print on Utah.

Sincerely,

A handwritten signature in cursive script that reads "Gary".

Gary R. Herbert  
Lieutenant Governor



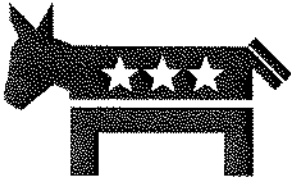
## POLITICAL PARTIES

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### **Constitution Party**

P.O. Box 1215  
Bountiful, Utah 84010  
801-544-4056  
Website: <http://www.cputah.org/>



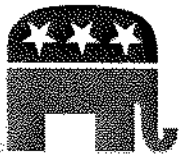
### **Democratic Party**

455 S. 300 E. Ste. #102  
Salt Lake City, UT 84111  
801-328-1212  
Fax: 801-328-1238  
Website: <http://utdemocrats.org/>



### **Libertarian Party**

P.O. Box 526025  
801-565-1988  
Salt Lake City, UT 84152  
Website: <http://www.lputah.org/>



### **Republican Party**

117 E. South Temple  
Salt Lake City, UT 84111  
801-533-9777  
Fax: 801-533-0327  
Website: <http://home.utgop.org/page.php>

## FOR MORE INFORMATION

The following list of web sites, although not comprehensive, is provided to give voters the opportunity to become better informed.

### **NEWS MEDIA:**

#### **National**

[www.cnn.com/politics](http://www.cnn.com/politics)  
[www.usatoday.com](http://www.usatoday.com)  
[www.pbs.org/elections](http://www.pbs.org/elections)

#### **Local**

[www.deseretnews.com/dn](http://www.deseretnews.com/dn)  
[www.sltrib.com/utahpolitics](http://www.sltrib.com/utahpolitics)  
[www.voteutah.org](http://www.voteutah.org)  
[www.kutv.com](http://www.kutv.com)  
[www.ksl.com](http://www.ksl.com)  
[www.abc4.com](http://www.abc4.com)  
[www.myfoxutah.com](http://www.myfoxutah.com)

### **GOVERNMENT:**

[elections.utah.gov](http://elections.utah.gov)  
[www.fec.gov](http://www.fec.gov)  
[www.eac.gov](http://www.eac.gov)  
[www.LeaveYourPrint.com](http://www.LeaveYourPrint.com)

### **YOUTH VOTING SITES:**

[www.youthvote.org](http://www.youthvote.org)  
[www.rockthevote.org](http://www.rockthevote.org)  
[www.generationvote.com](http://www.generationvote.com)  
[www.declareyourself.com](http://www.declareyourself.com)  
[pbskids.org/democracy](http://pbskids.org/democracy)

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# A.

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## CANDIDATES

The following pages list the candidates who are running for President, U.S. House of Representatives, Governor, Attorney General, State Auditor, State Treasurer, Utah State Senate, Utah State House of Representatives, and State School Board.

The candidates for U.S. House and Utah State Constitutional Offices were given the opportunity to submit a 100-word statement and a photograph. The Lieutenant Governor's Office has no editorial authority over these statements. All candidates appear in alphabetical order.

A list of candidates for the Utah State Senate, Utah State House of Representatives, and State School Board are provided to give voters the opportunity to contact the candidates in their area. If a candidate provided an e-mail address, it is also included. To find out which district you reside in, contact your county clerk's office. (please refer to page 87).

## **PRESIDENT AND VICE PRESIDENT**

---

Charles O. "Chuck" Baldwin

PRESIDENT

Darrel Castle

VICE PRESIDENT

CONSTITUTION PARTY

---

Bob Barr

PRESIDENT

Wayne A. Root

VICE PRESIDENT

LIBERTARIAN PARTY

---

John McCain

PRESIDENT

Sarah Palin

VICE PRESIDENT

REPUBLICAN PARTY

---

Barack Obama

PRESIDENT

Joe Biden

VICE PRESIDENT

DEMOCRATIC PARTY

---

ALL CANDIDATES NOT AFFILIATED WITH A UTAH REGISTERED POLITICAL PARTY ARE LISTED BELOW.  
THEY ARE TO BE CONSIDERED WITH ALL OFFICES AND CANDIDATES LISTED ABOVE.  
ONLY ONE VOTE IS ALLOWED FOR EACH OFFICE.

---

Gloria La Riva

PRESIDENT

Eugene Puryear

VICE PRESIDENT

PARTY FOR SOCIALISM AND LIBERATION

---

Ralph Nader

PRESIDENT

Matt Gonzalez

VICE PRESIDENT

PEACE AND FREEDOM PARTY

---

Cynthia McKinney

PRESIDENT

Rosa Clemente

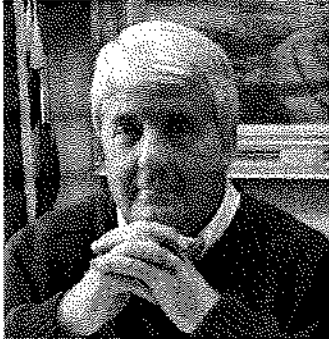
VICE PRESIDENT

GREEN PARTY OF THE UNITED STATES

---

## U.S. CONGRESSIONAL DISTRICT

BOX ELDER, CACHE, DAVIS, JUAB (PART), MORGAN, RICH, SALT LAKE (PART), SUMMIT, TOOELE, WEBER



**Rob Bishop**  
REPUBLICAN

"Rob Bishop has consistently defended Utah's interests. As Utah House Speaker, Rob promoted a conservative agenda. As a teacher for 28 years, Rob knows about education and making a difference in people's lives.

"In Congress, Rob has strengthened our national security, defended our military installations, cut taxes, and looked after our public lands. He has backed lean budgets and is a leader in the fight for a comprehensive national energy strategy.

"Born in Kaysville, Rob Bishop attended Davis High and the University of Utah, and served a mission for his church. He and his wife, Jeralynn, have five children."

74 North 300 East  
Brigham City, UT 84302  
801-292-5577  
votebishop@gmail.com  
www.votebishop.com



**Morgan Bowen**  
DEMOCRATIC

"As the next congressman for Utah's first district I will fight to end the influence of special interest groups who have a strangle hold on our government. We should be taking our Utah values of hard work, cooperation, and self reliance to Washington for a change. Our nation faces many challenges. We must act now to eliminate the \$9.5 Trillion National Debt, create true long-term energy independence, and keep Utah and the Nation foreign radioactive waste free. We owe it to future generations to build a prosperous and sustainable Nation.

"Please join us November 4th in support of positive change."

345 N 48 W  
Hyde Park, UT 84318  
435-563-2462  
morgan@bowenforcongress.com

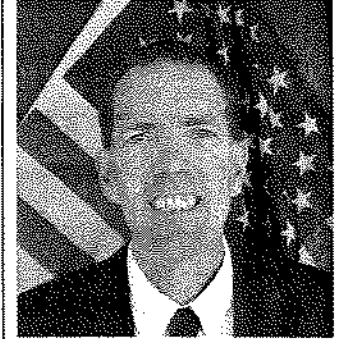


**Joseph Geddes  
Buchman**  
LIBERTARIAN

"Joseph Geddes Buchman is a life long Libertarian, retired tenured college professor and ardent proponent of personal freedom, individual responsibility and free agency. He holds an earned PhD from Indiana University and a Master's in Finance from Purdue. He seeks an end to the "Nanny State" and all new borrowing from other nations, which has resulted in a 10 trillion dollar debt, and over 100 trillion in unfunded, mandated federal spending -- bankrupting our grandchildren.

"He supports no new federal programs, including those for alternative energy, for which the free market, not the government, is the only nonviolent, permanent solution."

PO Box 983055  
Park City, UT 84098  
435-649-7927  
votefordrjoe@gmail.com  
www.thedoctorwillfreeyounow.com



**Kirk D. Pearson**  
CONSTITUTION

"I've run my own construction business since 1985. I've been married 20 years. We have 3 children. Running my own business made me more aware of the amount of taxes we pay and the many intrusions into our lives that government imposes. I became frustrated and began studying the Constitution to learn the proper role of government.

"We became the greatest nation in the world because of the governing principles established in our Constitution. We continue to ignore these principles. We do not need change. What we need is a restoration of those Constitutional principles that made this nation great!"

1316 E Canyon Road  
Lake Point, UT 84074  
801-250-2983  
kirk4senate2008@yahoo.com



## U.S. CONGRESSIONAL DISTRICT

CARBON, DAGGETT, DUCHESNE, EMERY, GARFIELD, IRON, KANE, PIUTE, SALT LAKE (PART), SAN JUAN, UINTAH, UTAH (PART), WASATCH, WASHINGTON, WAYNE



**Mathew Arndt**  
LIBERTARIAN

"Mathew Arndt is a college teacher of mathematics, computers and economics with a bachelor degree in mathematics, a minor in economics and a master's degree in education.

"Mathew tirelessly studies politics, economics and philosophy in order to better explain why liberty brings more peace and prosperity.

"Mathew understands that government's only proper role is to protect property, enforce contracts and settle property disputes. When government takes ANY action outside of this proper role, life becomes more expensive for the people. And after fifteen years studying this problem, he has yet to see a contradiction to this simple rule.

Visit  
<http://liberty.mathewarndt.com>  
for more explanation."

PO Box 1181  
Sandy, UT 84091  
801-201-3837  
[libertymathew@gmail.com](mailto:libertymathew@gmail.com)



**Bill Dew**  
REPUBLICAN

"Bill Dew, a Utah native, has with his wife Jolene raised five children. A University of Utah graduate, Bill ran a successful home building business in Salt Lake for 30 years. Recently, Bill and Jolene returned from the Middle East after two years of humanitarian service.

"Bill is running for Congress to provide much needed leadership on energy, immigration and the economy. Congress has failed on these important issues. Bill will improve Utah's representation in Washington, while fighting for local control of Utah's schools. Bill is prepared to lead as Utah's representative in Congress."

2 Trend Land Cove  
Sandy, UT 84092  
801-619-9125  
[bill@billdew.com](mailto:bill@billdew.com)  
[www.billdew.com](http://www.billdew.com)

NO PHOTO  
PROVIDED

**Dennis Ray**  
Emery  
CONSTITUTION

NO STATEMENT  
PROVIDED

120 North 350 West  
Space 204  
American Fork, UT  
84003  
801-763-5871  
[dremery@webtv.net](mailto:dremery@webtv.net)



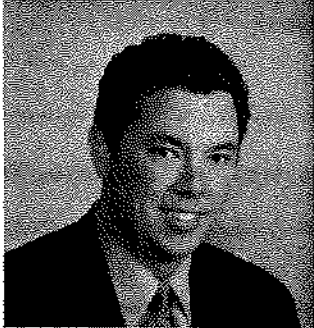
**Jim Matheson**  
DEMOCRATIC

"In Congress, I put Utah first. I pledge to be an independent voice and to work in a bipartisan way to move Utah's agenda forward. My record in Congress clearly demonstrates that I have kept that promise. I believe we must stop foreign countries from dumping their radioactive waste in Utah. I want to reverse record federal deficits by enforcing budget rules to rein in spending and to require accountability from the federal government. I want our children to have a clean, affordable and secure energy future by adopting a balanced and comprehensive energy policy that includes more domestic production, more fuel efficient vehicles and buildings, and more investment in renewable and alternative forms of energy."

P.O. Box 521048  
Salt Lake City, UT 84152  
801-359-5474  
[jim@mathesonforcongress.com](mailto:jim@mathesonforcongress.com)  
[mathesonforcongress.com](http://mathesonforcongress.com)

## U.S. CONGRESSIONAL DISTRICT

BEAVER, JUAB (PART) MILLARD, SALT LAKE (PART), SANPETE, SEVIER, UTAH (PART)



**Jason Chaffetz**  
REPUBLICAN

"The best hope for the United States of America, our families, and our future is to return to the core Republican conservative principles of FISCAL DISCIPLINE, LIMITED GOVERNMENT, ACCOUNTABILITY, and STRONG NATIONAL SECURITY. We have to change the way we do business in Washington D.C.

"I am driven by what is right, guided by the Constitution, and committed to integrity and personal responsibility. I will be loyal to Utah and dedicated to conservative principles. It's time to do what is right for the United States of America, right for our families, and right for Utah. Vote Jason Chaffetz for U.S. Congress!"

315 Westfield Circle  
Alpine, UT 84004  
801-471-3011  
jason@chaffetz.com  
www.jasonforcongress.com



**Jim Noorlander**  
CONSTITUTION

"Never in the history of the nation has there been so much at stake. Since 9/11 the printing of fiat money has caused unprecedented inflation, driving oil prices through the ceiling. Our borders are wide open because of a plan to create a new regional government. Voting for either major party is tantamount to rearranging the chairs on the Titanic.

"Socialism, the cause of our nation's problems, and the principles of liberty are diametrically opposed.

"I will do everything within my power to stop this insanity. My commitment is to the Constitution in the tradition of the Founding Fathers.

[www.jimnoorlanderforcongress.com](http://www.jimnoorlanderforcongress.com)"

H.C.13 Box 4314  
Fairview, UT 84629  
435-427-3711



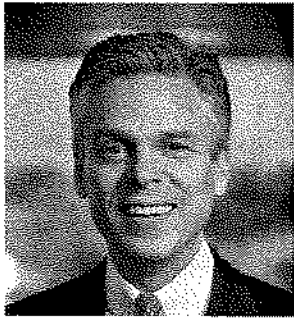
**Bennion L. Spencer**  
DEMOCRATIC

"As a Journalist, (BS Broadcast Journalism) a Teacher (MS International Relations) and a Democrat with conservative values, I believe in fiscal discipline and a strong military. I oppose abortion, and believe that marriage is a union between a man and a woman. We must stop illegal immigration at the border and protect American jobs. Combating global warming and moving America towards greater energy independence is vital. America must win the wars in Iraq and Afghanistan and bring our troops home.

I firmly support the right of Americans to bear arms. Together, we can bring responsible government and moral leadership to Utah."

P.O. Box 302  
Riverton, UT 84065  
801-897-1623  
bennionspencerforcongress@comcast.net  
bennionspencerforcongrss.com

# UTAH GOVERNOR AND LIEUTENANT GOVERNOR

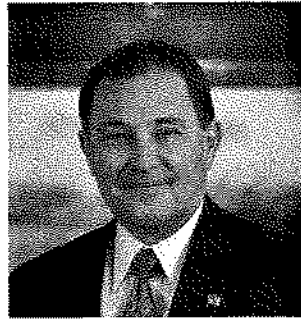


**Jon M. Huntsman, Jr.**  
GOVERNOR  
REPUBLICAN

"I am grateful to the citizens of Utah for the opportunity I've been given to serve as Governor for the past few years. We've had great success in providing record tax cuts while simultaneously funding education at historic levels.

"We're building a competitive economic environment that is instrumental in bringing new businesses to Utah and helping home-grown businesses thrive. But there is work still to be done to address pressing needs of individual Utahns, to have access to affordable health insurance, continue economic growth and focus on K-16 education to ensure we have the workforce we need to succeed."

603 East South Temple  
Salt Lake City, UT 84102  
801-320-9723  
info@huntsman08.com  
www.huntsman08.com



**Gary R. Herbert**  
LT. GOVERNOR  
REPUBLICAN

"Thank you for the honor and privilege of serving as Lt. Governor. Since our election in 2004, Governor Huntsman and I have worked tirelessly to ensure that Utah is a wonderful place to live, raise a family and do business. As a result, the Pew Institute has recognized Utah as the best managed state in America.

"In the Lt. Governor's office, we have been recognized nationally for the successful implementation of the Help America Vote Act and the "Leave Your Print," "Be Ready Utah" and "Slow the Flow" campaigns.

"Looking forward, we need your support and input to keep Utah at the forefront of opportunity."

736 West 550 South  
Orem, UT 84058  
801-320-9723



**"Superdell" Dell Schanze**  
GOVERNOR  
LIBERTARIAN

"SUPERDELL is your only choice because YOU didn't file. Huntsman took away your freedoms and raised taxes more than any governor in the history of Utah. Springmeyer has admitted that he doesn't care about the constitution. The definition of the word insane is voting for the same people while expecting change.

"There is no question that Dell Schanze is different. There are only 3 people on the ballot and SUPERDELL is the only one that is NOT socialist. If you are unsure then fill your heart with love, completely open your mind and pray to God earnestly. You can't afford to get this wrong and will be held accountable for your choice."

5442 S 900 E #223  
Salt Lake City, UT 84117  
801-631-1731  
dellschanze@totallyawesome.com  
totallyawesome.com

NO PHOTO PROVIDED

**Joey Hobbs**  
LT. GOVERNOR  
LIBERTARIAN

NO STATEMENT PROVIDED

884 E. Holly Hock Ave.  
Sandy, UT 84094  
801-637-5262  
joehobbs@exitofutah.com

## UTAH GOVERNOR AND LIEUTENANT GOVERNOR

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**Bob Springmeyer**  
GOVERNOR  
DEMOCRATIC

"The American Dream is the bedrock of our Utah values. It's a dream shared across races, regions, and religions. If you work hard, you shouldn't have to struggle to support a family. If you get sick, there should be health care you can afford. You should be able to give your children a good education, with the opportunity of college for all hard-working students.

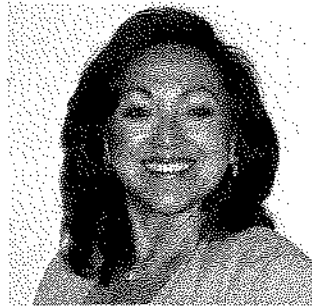
"Over the past four years, for too many Utahns, this dream has slipped away.

"Together, we can do so much better, to make sure all people of this state move ahead, rather than being left behind.

Bob Springmeyer

I ask for your vote on November 4<sup>th</sup>."

1289 4<sup>th</sup> Ave.  
Salt Lake City, UT 84103  
801-363-3455  
info@bobforgov.org  
<http://www.bobforgov.org>



**Josie Valdez**  
LT. GOVERNOR  
DEMOCRATIC

"Josie is living proof that the American dream is real.

"For 35 years, she has been involved in civic and social organizations. Josie graduated with honors with a degree in Business & Economics from Westminster College, and holds a Certificate in International Business. Retired with 30 years of federal service, she served as Asst. District Director for the Utah Office of the U.S. Small Business Administration. There she coordinated business programs for Utah's small business community. Josie ran for Salt Lake County Assessor in 2006. She is married to Mark Wheatley, Representative for Murray and South Salt Lake."

447 East Moss Creek Dr.  
Murray, UT 84107  
801-264-8844  
josiefortgov@live.com

# UTAH ATTORNEY GENERAL

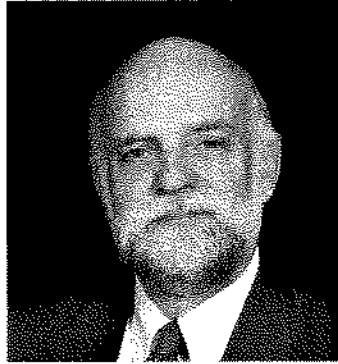


**Jean Welch Hill**  
DEMOCRATIC

"Jean Welch Hill is a prosecutor and attorney for the State Board of Education. For the last nine years, she has protected children from educators accused of professional misconduct and provided legal advice on education issues to educators, parents, legislators, and the State Board.

"As attorney general, Jean Welch Hill will be Utah's public watchdog. She will continue to be a fierce advocate for public education and lead the ongoing fight against vouchers. She will also push for campaign and ethics reform, end the troublesome conflicts of interest in the attorney general's office and rein in predatory lending practices."

610 East South Temple  
Salt Lake City, UT 84111  
801-803-9843  
jwhill4ag@comcast.net  
jeanwelchhill.org



**W. Andrew McCullough**  
LIBERTARIAN

"I have been an attorney in Utah for 34 years. My practice concentrates on the First Amendment (free speech) and the Fourth Amendment (unreasonable searches and seizures). I have handled hundreds of civil and criminal cases and am well qualified for the position I seek.

"The Libertarian Party supports smaller government, lower taxes and more freedom. I will work to implement those principles by making the State's legal office less intrusive. I envision fewer children taken from their parents by the State, fewer people going to jail or prison for simple possession of drugs, and less misuse of government power.

"W. Andrew McCullough  
Libertarian candidate for  
Attorney General  
[www.andy4ag.com](http://www.andy4ag.com)"

6885 S. State St. Suite 200  
Midvale, UT 84047  
801-565-0894  
wandrew48@qwest.net  
www.andrewmccullough.org



**Mark L. Shurtleff**  
REPUBLICAN

"I am honored to serve as Attorney General and take seriously my charge to protect you from criminals and ensure justice for victims.

"During my service, Utah has:

- Arrested over 500 child internet predators and pornographers
- Protected School Trust Lands and school funding
- Uncovered a wide spread identity theft scheme involving illegal aliens
- Cut meth labs by 98%
- Recovered 21 missing children with Amber Alerts

"I ask for your vote so I can continue to fight crime and protect Utah.

"If I can be of assistance please do not hesitate to call me on my personal cell phone (801) 558-9625."

147 W. Election Rd. Ste 200  
Draper, Utah 84020  
mark@shurtleff2008.com  
www.shurtleff2008.com

## UTAH STATE AUDITOR



**Clare Collard**  
DEMOCRATIC

"Clare is Vice President of Human Resources and Compliance, Salt Lake Credit Union.

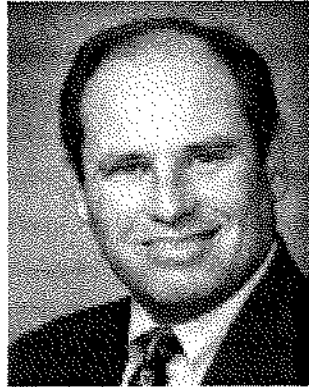
She has 22 years of experience in banking and credit unions in positions of management and leadership. Currently a regional director for the Salt Lake County Democratic Party.

"I am proud to be a naturalized citizen of the Greatest Nation on Earth, The United States of America.

"I believe in openness and transparency in government. Clare has been a Magna resident for the past 17 years and a SL County resident for the last 22 years.

"She has been married to Que for 22 years and has two sons, ages 20 and 18. For additional info see [www.voteclarecollard.com](http://www.voteclarecollard.com)."

8429 West 3370 South  
Magna, UT 84044  
801-520-8125  
clarecollard@hotmail.com

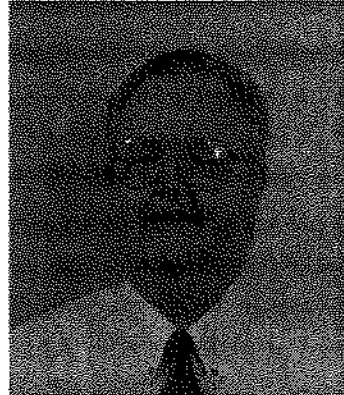


**Auston G. Johnson III**  
REPUBLICAN

**"Qualifications:** Certified Public Accountant, Over 30 years experience in auditing, Past president of the National State Auditors Association, Named outstanding CPA by the Utah Association of Certified Public Accountants.

**Accomplishments:** Completed over 50 fraud audits that recovered over \$200,000, Provided training to local government financial officials and independent auditors, Operated a Hotline to encourage citizen reporting of fraud and abuse, Created a performance audit group, Transitioned from paper based work to electronic audits. **Goals:** Hold our state accountable for how money is spent, Improve our processes as technology becomes available to increase our efficiency, Be your advocate on Capitol Hill."

1214 Jordan River Dr.  
South Jordan, UT 84095  
801-446-3562  
austonjohnson@msn.com

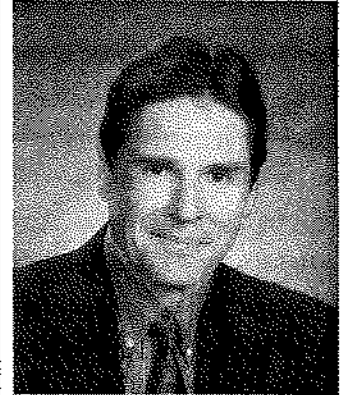


**Richard D. Proctor**  
CONSTITUTION

"I represent the Constitution Party whose major goal is to restore our Republic to its previous greatness. Our presidential candidate, Chuck Baldwin, has established goals that I believe in. For a discussion of these goals go to my blog: [ProctorforAuditor.blogspot.com](http://ProctorforAuditor.blogspot.com)

"Why will people vote Constitution Party? Because they do not want the "lesser of two evils" which is what is offered in today's election. The Constitution Party's campaign is about freedom and constitutional government. About restoring America to the principles of our Founding Fathers. If you believe in these principles, join us and we will restore America together!"

303 West 1800 South  
Bountiful, UT 84010  
801-292-2218



**Mike Stoddard**  
LIBERTARIAN

"The finances of the United State of America are in disrepair. The head accounting official of the U.S., David Walker, recently resigned after citing irreconcilable differences with fiscal irresponsibility by government officials. Currently, the government of the U.S. does not submit to outside independent audit of its finances. Neither do any states. The U.S. government won't submit to outside independent audit until the states do. I propose to make Utah the first state to submit to outside independent audit. As State Auditor I will liaise with the independent auditor, maintain responsibility for internal audits, and oversee audits of local government."

135 South 500 West  
Salt Lake City, UT 84101

## UTAH STATE TREASURER

---



**Dick Clark**  
DEMOCRATIC

"Dick Clark is the Democratic candidate for the State Treasurers Office. He was inspired to run for office by his three sons, two in the Army, who have served in Iraq and one serving as a police officer.

"He has been in the financial industry for over 30 years as a principal, RIA (registered investment advisor agent) and branch manager, he is currently manager of a branch office of a national securities firm, JP Turner and Co. LLC.

"Mr. Clark thinks the State has an excellent financial history, however he believes that he can improve upon its financial return and lighten tax payers burden."

2405 Evergreen Ave.  
Salt Lake City, Utah 84109  
801-487-2952



**Richard K. Ellis**  
REPUBLICAN

"The State Treasurer's duty in the Utah Constitution is the "custodian of public moneys." I have 22 years experience working in public finance with degrees in Finance and an MBA. The state treasurer is responsible for investing \$12.0 billion of taxpayer moneys. The income from these investments helps offset the cost of government and keeps taxes down. Maintaining the state's AAA bond rating is imperative. It saves taxpayers millions of dollars in interest expense each year.

"I have the experience and qualifications necessary to continue the tradition of excellence for which the Utah State Treasurer's office is known."

2179 West 9140 South  
West Jordan, UT 84088  
801-569-1464  
richard@ellisfortreasurer.com  
ellisfortreasurer.com

## UTAH STATE SENATE

---

UTAH STATE SENATE 1  
**Republican**  
**Carlton Christensen**  
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UTAH STATE SENATE 1  
**Democratic**  
**Luz Robles**  
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UTAH STATE SENATE 5  
**Republican**  
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UTAH STATE SENATE 5  
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UTAH STATE SENATE 5  
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**Democratic**  
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**Republican**  
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UTAH STATE SENATE 8  
**Democratic**  
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## UTAH STATE SENATE (continued)

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**Republican**  
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## UTAH STATE HOUSE OF REPRESENTATIVES

---

### UTAH STATE HOUSE OF REPRESENTATIVES 1

#### Republican

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### UTAH STATE HOUSE OF REPRESENTATIVES 1

#### Democratic

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### UTAH STATE HOUSE OF REPRESENTATIVES 2

#### Constitution

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### UTAH STATE HOUSE OF REPRESENTATIVES 2

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### UTAH STATE HOUSE OF REPRESENTATIVES 3

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#### Republican

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#### Democratic

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### UTAH STATE HOUSE OF REPRESENTATIVES 5

#### Republican

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### UTAH STATE HOUSE OF REPRESENTATIVES 6

#### Republican

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### UTAH STATE HOUSE OF REPRESENTATIVES 6

#### Democratic

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### UTAH STATE HOUSE OF REPRESENTATIVES 7

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### UTAH STATE HOUSE OF REPRESENTATIVES 7

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### UTAH STATE HOUSE OF REPRESENTATIVES 8

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### UTAH STATE HOUSE OF REPRESENTATIVES 9

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### UTAH STATE HOUSE OF REPRESENTATIVES 9

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## UTAH STATE HOUSE OF REPRESENTATIVES (continued)

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UTAH STATE HOUSE OF  
REPRESENTATIVES 10

**Democratic**

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UTAH STATE HOUSE OF  
REPRESENTATIVES 10

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REPRESENTATIVES 11

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UTAH STATE HOUSE OF  
REPRESENTATIVES 11

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UTAH STATE HOUSE OF  
REPRESENTATIVES 11

**Democratic**

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UTAH STATE HOUSE OF  
REPRESENTATIVES 12

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UTAH STATE HOUSE OF  
REPRESENTATIVES 12

**Democratic**

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UTAH STATE HOUSE OF  
REPRESENTATIVES 13

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REPRESENTATIVES 13

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REPRESENTATIVES 14

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UTAH STATE HOUSE OF  
REPRESENTATIVES 14

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UTAH STATE HOUSE OF  
REPRESENTATIVES 15

**Republican**

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UTAH STATE HOUSE OF  
REPRESENTATIVES 15

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UTAH STATE HOUSE OF  
REPRESENTATIVES 16

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UTAH STATE HOUSE OF  
REPRESENTATIVES 16

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UTAH STATE HOUSE OF  
REPRESENTATIVES 16

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## UTAH STATE HOUSE OF REPRESENTATIVES (continued)

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UTAH STATE HOUSE OF  
REPRESENTATIVES 17

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REPRESENTATIVES 17

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REPRESENTATIVES 18

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REPRESENTATIVES 18

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REPRESENTATIVES 19

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REPRESENTATIVES 20

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REPRESENTATIVES 21

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REPRESENTATIVES 23

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## UTAH STATE HOUSE OF REPRESENTATIVES (continued)

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UTAH STATE HOUSE OF  
REPRESENTATIVES 24

**Democratic**

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REPRESENTATIVES 24

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UTAH STATE HOUSE OF  
REPRESENTATIVES 25

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UTAH STATE HOUSE OF  
REPRESENTATIVES 25

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REPRESENTATIVES 25

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UTAH STATE HOUSE OF  
REPRESENTATIVES 26

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UTAH STATE HOUSE OF  
REPRESENTATIVES 26

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REPRESENTATIVES 26

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UTAH STATE HOUSE OF  
REPRESENTATIVES 27

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UTAH STATE HOUSE OF  
REPRESENTATIVES 27

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REPRESENTATIVES 28

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REPRESENTATIVES 28

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REPRESENTATIVES 28

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REPRESENTATIVES 29

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REPRESENTATIVES 29

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REPRESENTATIVES 29

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## UTAH STATE HOUSE OF REPRESENTATIVES (continued)

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UTAH STATE HOUSE OF REPRESENTATIVES 30  
**Democratic**  
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UTAH STATE HOUSE OF REPRESENTATIVES 30  
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UTAH STATE HOUSE OF REPRESENTATIVES 30  
**Republican**  
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UTAH STATE HOUSE OF REPRESENTATIVES 31  
**Republican**  
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UTAH STATE HOUSE OF REPRESENTATIVES 31  
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UTAH STATE HOUSE OF REPRESENTATIVES 32  
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UTAH STATE HOUSE OF REPRESENTATIVES 32  
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UTAH STATE HOUSE OF REPRESENTATIVES 32  
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UTAH STATE HOUSE OF REPRESENTATIVES 33  
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UTAH STATE HOUSE OF REPRESENTATIVES 33  
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## UTAH STATE HOUSE OF REPRESENTATIVES (continued)

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### DISTRICT 13

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# B.

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## BALLOT ISSUES

### Instructions for reading the Text of the Ballot Issues

- (1) Underlined words and numbers represent new language being added or current language that is being moved from another section.
- (2) Bracketed and lined-through words or numbers represent current language being deleted or current language that is being moved to another section.
- (3) All other language is the current language, which is retained without change.

Example: (1) The members of the House of Representatives [~~after the first election,~~] shall be chosen biennially on even-numbered years by the qualified voters of the respective representative districts, on the first Tuesday after the first Monday in November [~~1896, and biennially thereafter~~].

Present Language: (1) The members of the House of Representatives, after the first election, shall be chosen by the qualified voters of the respective representative districts, on the first Tuesday after the first Monday in November, 1896, and biennially thereafter.

Proposed Revision: (1) The members of the House of Representatives shall be chosen biennially on even-numbered years by the qualified voters of the respective representative districts, on the first Tuesday after the first Monday in November.

(H.J.R. 4)

# CONSTITUTIONAL AMENDMENT A

## RESOLUTION REVISING EXECUTIVE OFFICER SUCCESSION PROVISIONS

2007 GENERAL SESSION

SENATE: 27-0-2

HOUSE: 59-12-4

### BALLOT TITLE

YES

NO

Shall the Utah Constitution be amended to:

- modify and clarify how a vacancy in the office of Governor is filled;
- define when a vacancy occurs in the offices of Governor and Lieutenant Governor;
- modify the term of office of a person filling a vacancy in the office of Governor or Lieutenant Governor;
- modify and clarify the exercise of the powers of Governor when the Governor is temporarily disabled;
- modify and clarify how the disability of a Governor is determined;
- modify how a vacancy in the office of Lieutenant Governor is filled; and
- establish a process for determining the disability of a Lieutenant Governor?

### IMPARTIAL ANALYSIS

Constitutional Amendment A amends provisions of the Utah Constitution relating to the filling of a vacancy in the offices of Governor and Lieutenant Governor, the process for determining the disability of the Governor and Lieutenant Governor, and the exercise of the powers of Governor when the Governor is temporarily disabled.

The following table compares the changes made by Constitutional Amendment A to the current provisions of the Utah Constitution.

Topic	Current Utah Constitution	Changes made by Constitutional Amendment A
What constitutes a vacancy in the office of Governor	Does not define what constitutes a vacancy but provides for how the powers of the office of Governor are transferred in the case of the Governor's death, impeachment, removal from office, resignation, or disability, or if the Governor-elect fails to take office	States that a vacancy occurs when: <ul style="list-style-type: none"><li>• the Governor dies, resigns, is removed by impeachment, ceases to reside in the state, or becomes permanently disabled; or</li><li>• the Governor-elect fails to take office</li></ul>
What happens when there is a vacancy in the office of Governor	The powers and duties of Governor temporarily fall to the Lieutenant Governor	The Lieutenant Governor becomes Governor

What happens when there is a vacancy in the offices of Governor and Lieutenant Governor at the same time	Senate President temporarily acts as Governor	Senate President becomes Governor
What happens when there is a vacancy in the offices of Governor, Lieutenant Governor, and Senate President at the same time	Speaker of the House of Representatives temporarily acts as Governor	Speaker of the House of Representatives becomes Governor
Term of the person who takes the place of the Governor	The person exercises the powers and duties of or acts as Governor until; <ul style="list-style-type: none"> <li>the next general election; or</li> <li>in the case of the Governor's disability, the disability ceases</li> </ul>	The person becomes Governor and serves until: <ul style="list-style-type: none"> <li>the first Monday in January following the next regular general election, if the vacancy occurs during the first year of the Governor's term; or</li> <li>for the remainder of the unexpired term, if the vacancy occurs after the first year</li> </ul>
Determining the disability of the Governor	Provides a process for determining the disability of the Governor or person temporarily acting as Governor	Modifies and clarifies the process for determining the disability of the Governor or person temporarily acting as Governor  Makes the process for determining disability apply also to determining the disability of a Governor-elect
What happens when the Governor is temporarily disabled	The powers and duties of the Governor fall to the Lieutenant Governor until the Governor's disability ceases  It is unclear what would happen if the Lieutenant Governor becomes temporarily disabled while discharging the powers and duties of Governor during the Governor's temporary disability. One reading of the current Utah Constitution is that the Senate President would act as Governor and that, if the Senate President then becomes temporarily disabled, the Speaker of the House of Representatives would act as Governor.	<ul style="list-style-type: none"> <li>The powers and duties of the Governor shall temporarily be discharged by the Lieutenant Governor</li> <li>If the Lieutenant Governor leaves office or becomes disabled, the Governor's powers and duties shall temporarily be discharged by the Senate President;</li> <li>If both the Lieutenant Governor and Senate President leave office or become disabled, the Governor's powers and duties shall temporarily be discharged by the Speaker of the House of Representatives</li> </ul>



What constitutes a vacancy in the office of Lieutenant Governor	Does not define what constitutes a vacancy but provides for the appointment of a new Lieutenant Governor if the office is vacated by death, resignation, or otherwise	States that a vacancy occurs when: <ul style="list-style-type: none"> <li>the Lieutenant Governor dies, resigns, is removed by impeachment, becomes Governor, ceases to reside in the state, or becomes permanently disabled; or</li> <li>the Lieutenant Governor-elect fails to take office</li> </ul>
What happens when there is a vacancy in the office of Lieutenant Governor	The Governor appoints a person to fill the vacancy	The Governor's appointment requires the consent of the Senate
Term for which a person appointed to fill a vacancy serves as Lieutenant Governor	Until a successor is elected and qualified	Until the first Monday in January after the following regular general election, if the vacancy occurs because the Lieutenant Governor becomes Governor; otherwise, for the remainder of the unexpired term
Determining the disability of the Lieutenant Governor	No process for determining the disability of a Lieutenant Governor	Establishes a process for determining the disability of the Lieutenant Governor

**Effective date**

If approved by voters, Constitutional Amendment A takes effect January 1, 2009.

**Fiscal impact**

Enactment of this Amendment will not likely result in any increase or decrease in revenue to state or local government, but may result in a slight increase in costs to state and local governments if a mid-term election of both Governor and Lieutenant Governor is required.

**ARGUMENT IN FAVOR**

People should elect their leaders. In the event an elected governor steps aside or is no longer able to govern, this amendment allows Utahns the first-available opportunity to elect a successor.

- Representative Stephen Urquhart  
District 75

**ARGUMENT AGAINST**

No argument submitted.

# COMPLETE TEXT CONSTITUTIONAL AMENDMENT A

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## Utah Constitution Sections Affected:

AMENDS:

ARTICLE VII, SECTION 10

ARTICLE VII, SECTION 11

*Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:*

Section 1. It is proposed to amend Utah Constitution Article VII, Section 10, to read:

**Article VII, Section 10. [Governor's appointive power -- Governor to appoint to fill vacancy in other state offices -- Vacancy in the office of the Lieutenant Governor.]**

*(1) (a) The Governor shall nominate, and by and with consent of the Senate, appoint all State and district officers whose offices are established by this Constitution, or which may be created by law, and whose appointment or election is not otherwise provided for.*

*(b) If, during the recess of the Senate, a vacancy occurs in any State or district office, the Governor shall appoint some qualified person to discharge the duties thereof until the next meeting of the Senate, when the Governor shall nominate some person to fill such office.*

*(2) If the office of [~~Lieutenant Governor,~~] State Auditor, State Treasurer, or Attorney General be vacated by death, resignation, or otherwise, it shall be the duty of the Governor to fill the same by appointment, from the same political party [ef] as the removed person; and the appointee shall hold office until a successor shall be elected and qualified, as provided by law.*

*(3) (a) A vacancy in the office of Lieutenant Governor occurs when:*

*(i) the Lieutenant Governor dies, resigns, is removed from office following impeachment, becomes Governor under Article VII, Section 11, ceases to reside within the State, or is determined, as provided in Subsection (3)(b), to have a disability that renders the Lieutenant Governor unable to discharge the duties of office for the remainder of the*

*Lieutenant Governor's term of office; or*

*(ii) the Lieutenant Governor-elect fails to take office because of the Lieutenant Governor-elect's death, failure to qualify for office, or disability, determined as provided in Subsection (3)(b), that renders the Lieutenant Governor-elect unable to discharge the duties of office for the Lieutenant Governor-elect's full term of office.*

*(b) (i) Except when the disability of a Lieutenant Governor is determined under Article VII, Section 11, Subsection (6) because the Lieutenant Governor is acting as Governor under Article VII, Section 11, Subsection (5), the disability of a Lieutenant Governor or Lieutenant Governor-elect shall be determined by a written declaration stating that the Lieutenant Governor or Lieutenant Governor-elect is unable to discharge the powers and duties of the office.*

*(ii) The written declaration under Subsection (3)(b)(i) shall be transmitted to the Supreme Court and shall be signed by:*

*(A) the Governor; or*

*(B) (i) the Lieutenant Governor, if the Lieutenant Governor is the subject of the declaration; or*

*(ii) the Lieutenant Governor-elect, if the Lieutenant Governor-elect is the subject of the declaration.*

*(iii) If the Lieutenant Governor or Lieutenant Governor-elect, as the case may be, disputes a declaration transmitted by the Governor under Subsection (3)(b)(i), the Lieutenant Governor or Lieutenant Governor-elect may, within ten days after the declaration is transmitted to the Supreme Court, file a petition requesting the Supreme Court to determine whether a disability exists as stated in the Governor's declaration.*

*(iv) In determining whether a disability exists, the Supreme Court shall follow procedures that the Court establishes, unless the Legislature by statute establishes procedures for the Supreme Court to follow in determining whether a disability exists.*

*v) A determination of disability under this Subsection (3)(b) is final and conclusive.*

*(c) (i) If a vacancy in the office of Lieutenant Governor occurs, the Governor shall,*

with the consent of the Senate, appoint a person as Lieutenant Governor, to serve:  
(A) except as provided in Subsection (3)(c)(i)(B), the remainder of the unexpired term;

or

(B) until the first Monday in January of the year following the next regular general election after the vacancy occurs, if the vacancy occurs because the Lieutenant Governor becomes Governor under Article VII, Section 11, Subsection (2).

(ii) The person appointed as Lieutenant Governor under Subsection (3)(c)(i) shall be from the same political party as the Governor.

(iii) Neither the President of the Senate nor the Speaker of the House of Representatives may, while acting as Governor under Article VII, Section 11, Subsection (4), appoint a person as Lieutenant Governor to fill a vacancy in that office.

Section 2. It is proposed to amend Utah Constitution Article VII, Section 11, to read:

**Article VII, Section 11. [Vacancy in office of Governor -- Determination of disability.]**

[In case of the death of the Governor, impeachment, removal from office, resignation, or disability to discharge the duties of the office, or in case of a Governor-elect who fails to take office, the powers and duties of the Governor shall devolve upon the Lieutenant Governor until the disability ceases or until the next general election, when the vacancy shall be filled by election. If, during a vacancy in the office of Governor, the Lieutenant Governor resigns, dies, is removed, or becomes incapable of performing the duties of the office, the President of the Senate shall act as Governor until the vacancy is filled or disability ceases. If in this case the President of the Senate resigns, dies, is removed, or becomes incapable of performing the duties of the office, the Speaker of the House shall act as Governor until the vacancy is filled or disability ceases. While performing the duties of the Governor as provided in this section, the Lieutenant Governor, the President of the Senate, or the Speaker of the House, as the case may be, shall be entitled to the salary and emoluments of the Governor, except in cases of temporary disability. The]

(1) A vacancy in the office of Governor occurs when:

(a) the Governor dies, resigns, is removed from office following impeachment, ceases to reside within the state, or is determined, as provided in Subsection (6), to have a disability that renders the Governor unable to discharge the duties of office for the remainder of the Governor's term of office; or

(b) the Governor-elect fails to take office because of the Governor-elect's death, failure to qualify for office, or disability, determined as provided in Subsection (6), that renders the Governor-elect unable to discharge the duties of office for the Governor-elect's full term of office.

(2) If a vacancy in the office of Governor occurs, the Lieutenant Governor shall become Governor, to serve:

(a) until the first Monday in January of the year following the next regular general election after the vacancy occurs, if the vacancy occurs during the first year of the term of office; or

(b) for the remainder of the unexpired term, if the vacancy occurs after the first year of the term of office.

(3) (a) In the event of simultaneous vacancies in the offices of Governor and Lieutenant Governor, the President of the Senate shall become Governor, to serve:

(i) until the first Monday in January of the year following the next regular general election after the vacancy occurs, if the vacancy occurs during the first year of the term of office; or

(ii) for the remainder of the unexpired term, if the vacancy occurs after the first year of the term of office.

(b) In the event of simultaneous vacancies in the offices of Governor, Lieutenant Governor, and President of the Senate, the Speaker of the House of Representatives shall become Governor, to serve:

(i) until the first Monday in January of the year following the next regular general election after the vacancy occurs, if the vacancy occurs during the first year of the term of office; or

(ii) for the remainder of the unexpired term, if the vacancy occurs after the first year of the term of office.

(4) If a vacancy in the office of Governor occurs during the first year of the term of

office, an election shall be held at the next regular general election after the vacancy occurs to elect a Governor and Lieutenant Governor, as provided in Article VII, Section 2, to serve the remainder of the unexpired term.

(5) (a) If the Governor is temporarily unable to discharge the duties of the office because of the Governor's temporary disability, as determined under Subsection (6), or if the Governor-elect is temporarily unable to assume the office of Governor because of the Governor-elect's temporary disability, as determined under Subsection (6), the powers and duties of the Governor shall be discharged by the Lieutenant Governor who, in addition to discharging the duties of the office of Lieutenant Governor, shall, without additional compensation, act as Governor until the disability ceases.

(b) (i) If, during a temporary disability of the Governor or Governor-elect, as determined under Subsection (6), a vacancy in the office of Lieutenant Governor occurs or the Lieutenant Governor is temporarily unable to discharge the duties of the office of Governor because of the Lieutenant Governor's temporary disability, as determined under Subsection (6), the powers and duties of the Governor shall be discharged by the President of the Senate who shall act as Governor until the Governor or Governor-elect's disability ceases or, in the case of the Lieutenant Governor's temporary disability, the Lieutenant Governor's disability ceases, whichever occurs first.

(ii) If, during a temporary disability of the Governor or Governor-elect, as determined under Subsection (6), neither the Lieutenant Governor nor the President of the Senate is able to discharge the duties of the office of Governor because of a vacancy in the office of Lieutenant Governor or President of the Senate, or both, or because of a temporary disability of either or both officers, as determined under Subsection (6), or a combination of vacancy and temporary disability, the powers and duties of the Governor shall be discharged by the Speaker of the House of Representatives who shall act as Governor until the Governor's disability ceases or

until the vacancy, if applicable, in the office of President of the Senate is filled or the temporary disability, if applicable, of the Lieutenant Governor or President of the Senate ceases, whichever occurs first.

(c) (i) During the time that the President of the Senate acts as Governor under this Subsection (5), the President may not exercise the powers and duties of President of the Senate or Senator. The powers and duties of President of the Senate may be exercised during that time by an acting President, chosen by the Senate.

(ii) During the time that the Speaker of the House of Representatives acts as Governor under this Subsection (5), the Speaker may not exercise the powers and duties of Speaker of the House of Representatives or Representative. The powers and duties of Speaker of the House of Representatives may be exercised during that time by an acting Speaker, chosen by the House of Representatives.

(d) When acting as Governor under this Subsection (5), the President of the Senate or Speaker of the House of Representatives, as the case may be, shall be entitled to receive the salary and emoluments of the office of Governor.

(6) (a) A disability of the Governor, Governor-elect, or person acting as Governor shall be determined by [either a]:

(i) the written declaration of the Governor, Governor-elect, or person acting as Governor, transmitted to the Supreme Court [by the Governor], stating an inability to discharge the powers and duties of the office; or [by]

(ii) a majority of the Supreme Court [on] upon the joint request of the President or, if applicable, acting President of the Senate and the Speaker or, if applicable, acting Speaker of the House of Representatives. [Such determination shall be final and conclusive. Thereafter, when the Governor transmits to the Supreme Court a written declaration that no disability exists, the]

(b) The Governor or person acting as Governor shall resume or, in the case of a Governor-elect, shall assume the powers and duties of the office following a temporary disability upon the written declaration of the Governor, Governor-elect, or person acting as

Governor, transmitted to the Supreme Court, that no disability exists, unless the Supreme Court, upon the joint request of the President or, if applicable, acting President of the Senate and the Speaker or, if applicable, acting Speaker of the House of Representatives, or upon its

own initiative, determines that the temporary disability continues and that the Governor, Governor-elect, or person acting as Governor is unable to discharge the powers and duties of the office. ~~[The Lieutenant Governor shall then continue to discharge these powers and duties as acting Governor.]~~

(c) Each determination of a disability under Subsection (6)(a) shall be final and conclusive.

(7) The Supreme Court has exclusive jurisdiction to determine all questions arising under this section.

Section 3. **Submittal to voters.**

The lieutenant governor is directed to submit this proposed amendment to the voters of the state at the next regular general election in the manner provided by law.

Section 4. **Effective date.**

If the amendment proposed by this joint resolution is approved by a majority of those voting on it at the next regular general election, the amendment shall take effect on January 1, 2009.

(S.J.R. 2)

## CONSTITUTIONAL AMENDMENT B

### RESOLUTION REGARDING PERMANENT STATE TRUST FUND

2007 GENERAL SESSION

SENATE: 27-1-1

HOUSE: 69-0-6

#### BALLOT TITLE

YES

NO

Shall the Utah Constitution be amended to allow a permanent state trust fund to include money or other assets given to the trust fund under any provision of law?

#### IMPARTIAL ANALYSIS

Constitutional Amendment B amends a provision of the Utah Constitution relating to a permanent state trust fund. The Amendment expands the sources of money that can be placed in the trust fund to include money or other assets given to the trust fund under any provision of law.

##### **Background and current provisions of the Utah Constitution**

In 2001, the Utah Constitution was amended to establish a permanent state trust fund. Money may be removed from the trust fund only if the Governor and three-fourths of the Legislature agree. Interest and other income earned from the money in the trust fund are deposited into the state's General Fund.

Under the current Utah Constitution, the trust fund may receive money from two sources: (1) money the state receives relating to the November 1998 settlement agreement with leading tobacco manufacturers; and (2) other funds and assets that the trust fund receives either by bequest through a will or by private donation. The Utah Constitution does not currently state that the trust fund may include money from any other source. It is, therefore, subject to dispute whether the Utah Constitution would allow the Legislature to appropriate money to the trust fund or to provide by law for some other source of money for the trust fund.

##### **The effect of Constitutional Amendment B**

Constitutional Amendment B expands the sources from which the permanent state trust fund may receive money or other assets. The Amendment states that the trust fund may also consist of money or other assets given to the fund under any provision of law. This Amendment allows the Legislature to appropriate money to the trust fund or to provide by law for other sources of money to be deposited into the trust fund.

##### **Effective date**

If approved by voters, Constitutional Amendment B takes effect January 1, 2009.

##### **Fiscal impact**

Enactment of this Amendment alone will not likely result in any increase or decrease in revenue or cost to state or local government. However, if money or other assets are given to the trust fund as a result of this Amendment that would not otherwise have been given, the trust fund is likely to grow faster than it would have otherwise. If this happens, there may be an increase in resources available to programs supported by the trust fund.

## ARGUMENT IN FAVOR

Utah has been blessed with abundant minerals, oil, and natural gas. The extraction of these natural resources brings thousands of jobs and hundreds of millions of dollars in positive economic impact to our state. In addition, Utah collects nearly \$100 million each year in revenues generated from the severance taxes imposed on the extraction of minerals, crude oil, and natural gas.

But with each shovel of ore and with each barrel of crude oil taken out of the ground, our resources are gradually depleting. We don't know when but one day Utah's natural resources will be gone. What will Utah have to show for the tons of ore and millions of barrels of oil and gas extracted from our state then? Nothing, if we continue with business as usual.

Utah needs to join other natural resource rich states and establish a permanent trust fund where all or part of the severance tax revenues can be deposited and put to work for future generations. Montana and Wyoming are two states that now have trust funds with balances in the billions of dollars. Neither trust fund began with large amounts of money, but over time, the revenues deposited into the trust funds compounded and grew to their current levels. Earnings from Montana and Wyoming's trust funds provide tax relief for citizens and revenue for schools and other important public services. More importantly, these trust funds demonstrate a commitment to future generations and to the sound and prudent management of ever-depleting natural resources.

The passage of Constitutional Amendment B would allow the Legislature to place all or a part of the revenues received from state severance taxes on minerals, crude oil, and natural gas into the state permanent fund. The earnings from the trust fund would then be used for capital and infrastructure projects both statewide and in energy producing areas of the state.

The true beneficiaries of Constitutional Amendment B have not yet been born. When you vote YES on Amendment B you will be benefiting our grandchildren for generations to come. These generations will one day thank us for having the vision and foresight to put this money aside for their benefit.

We must be wise stewards of Utah's natural resources. We must set aside the income we now receive from these declining assets and save it for future generations. We need to stop spending and start saving.

Vote YES on Constitutional Amendment B.

-Lyle Hillyard  
Utah State Senator and  
Senate Chair of the Executive Appropriations Committee

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## ARGUMENT AGAINST

No argument submitted.

## COMPLETE TEXT CONSTITUTIONAL AMENDMENT B

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### Utah Constitution Sections Affected:

AMENDS:

### ARTICLE XXII, SECTION 4

*Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:*

Section 1. It is proposed to amend Utah Constitution Article XXII, Section 4, to read:

#### **Article XXII, Section 4. [State trust fund -- Principal to be held in perpetuity -- Use of income.]**

(1) There is established a permanent state trust fund consisting of:

(a) as provided by statute or appropriation, funds that the state receives relating to the

November 1998 settlement agreement with leading tobacco manufacturers; [and]

*(b) money or other assets given to the fund under any provision of law; and*

~~[(b)]~~ *(c) other funds and assets that the trust fund receives by bequest or private donation.*

(2) Except as provided in Subsection (4), the state treasurer shall, as provided by statute, hold all trust funds and assets in trust and invest them for the benefit of the people of the state in perpetuity.

(3) The income from the state trust fund shall be deposited into the General Fund.

(4) With the concurrence of the governor and three-fourths of each house of the Legislature, funds or assets in the trust fund may be removed from the fund for deposit into the General Fund.

#### **Section 2. Submittal to voters.**

*The lieutenant governor is directed to submit this proposed amendment to the voters of the state at the next regular general election in the manner provided by law.*

#### **Section 3. Effective date.**

*If the amendment proposed by this joint resolution is approved by a majority of those voting on it at the next regular general election, the amendment shall take effect on January 1, 2009.*



(S.J.R. 12)

**CONSTITUTIONAL AMENDMENT C**  
**RESOLUTION AMENDING UTAH CONSTITUTION**  
2007 GENERAL SESSION

SENATE: 29-0-0  
HOUSE: 72-0-3

**BALLOT TITLE**

**YES**

**NO**

Shall the Utah Constitution be amended to:

- change the start of the Legislature's annual general session from the third Monday in January to the fourth Monday in January; and
- exclude federal holidays from the calculation of the 45-day limit on annual general sessions of the Legislature?

**IMPARTIAL ANALYSIS**

**Effect of Constitutional Amendment C**

Constitutional Amendment C moves the beginning date of annual general sessions of the Legislature from the third Monday in January to the fourth Monday in January. Under this Amendment, each annual general session of the Legislature will begin a week after the federal holiday commemorating the birth of Martin Luther King, Jr.

This Amendment also excludes federal holidays from the calculation of the 45-day limit on annual general sessions of the Legislature. Presidents' Day is the only federal holiday that would currently fall within a 45-day annual general session beginning the fourth Monday in January. Under Constitutional Amendment C, Presidents' Day would not be considered when calculating the 45-day limit.

The effect of Constitutional Amendment C is that annual general sessions of the Legislature would begin one week later than under the current Utah Constitution. In addition, annual general sessions would end one week and a day later than under the current Utah Constitution.

**Effective date**

If approved by voters, Constitutional Amendment C takes effect January 1, 2009.

**Fiscal impact**

Enactment of this Amendment will not likely result in any increase or decrease in revenue or cost to state or local government.

**ARGUMENT IN FAVOR**

The Utah Constitution currently directs that the annual legislative session will run for 45 calendar days beginning the third Monday of January. If citizens approve Amendment A, we will begin the session on the *fourth* Monday of January and exclude national holidays from the 45-day count.

This minor calendar change would have three very positive effects, as follows:

1) A YES vote on Amendment A would allow Utah citizens to more appropriately honor the late Reverend Dr. Martin Luther King, Jr., President George Washington, and President Abraham Lincoln.

Martin Luther King Day falls on the same day that the State Constitution requires the legislative session to begin (third Monday in January). The Senate and House hold special events to honor Dr. King on the opening day of the session. However, many Utahns suggest that convening the session later would be a more appropriate way to remember his legacy. I would like to honor that suggestion.

## ARGUMENT IN FAVOR (continued)

In addition, President's Day (third Monday in February) occurs during the legislative session.

Intended to provide pause to honor heroes and leaders in U.S. history, the meaning of these national holidays might sometimes be lost in the intensity of session work.

2) A YES vote on Amendment A would provide eight additional session days after final tax revenue amounts become available to establish the state budget.

For many years Utah has been recognized as one of the best-managed states in the union. Key to that success has been its consistent use of sound budgeting principles and conservative revenue estimating. Building a balanced, multi-billion dollar budget is a lot of work, and each day matters. Final revenue estimates, however, aren't available until mid February. This only gives the legislature two weeks to make adjustments, hold hearings, consider and pass a budget before the end of the session. Moving the starting date back a week will allow more time to prepare the state's annual budget which would help ensure continued budget-making success.

3) A YES vote on Amendment A would give legislators, staff, and citizens an additional post-holiday-season week in January to prepare for the general session. Additional draft legislation, budget analysis, and other technical work can be accomplished before the session begins, providing for more efficient use of time during the session.

This minor calendar change makes a lot of sense. I invite you to vote with me and approve this constitutional amendment.

-John Valentine  
President of the Utah Senate

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## ARGUMENT AGAINST

No argument submitted.

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## COMPLETE TEXT CONSTITUTIONAL AMENDMENT C

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### Utah Constitution Sections Affected:

AMENDS:

ARTICLE VI, SECTION 2

ARTICLE VI, SECTION 16

*Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:*

Section 1. It is proposed to amend Utah Constitution Article VI, Section 2, to read:

**Article VI, Section 2. [Time of general sessions.]**

Annual general sessions of the Legislature shall be held at the seat of government and shall begin on the [third] fourth Monday in January.

Section 2. It is proposed to amend Utah Constitution Article VI, Section 16, to read:

**Article VI, Section 16. [Duration of sessions.]**

(1) [No] Except in cases of impeachment, no annual general session of the Legislature may exceed 45 calendar days, [~~except in cases of impeachment~~] excluding federal holidays.

(2) No session of the Legislature convened by the Governor under Article VII, Section 6 may exceed 30 calendar days, except in cases of impeachment.

Section 3. **Submittal to voters.**

The lieutenant governor is directed to submit this proposed amendment to the voters of the state at the next regular general election in the manner provided by law.

Section 4. **Effective date.**

If the amendment proposed by this joint resolution is approved by a majority of those voting on it at the next regular general election, the amendment shall take effect on January 1, 2009.

(S.J.R. 5)

## CONSTITUTIONAL AMENDMENT D

### JOINT RESOLUTION AMENDING LEGISLATIVE APPOINTMENT

2008 GENERAL SESSION

SENATE: 27-0-2

HOUSE: 67-0-8

#### BALLOT TITLE

YES

NO

Shall the Utah Constitution be amended to clarify that the time when the Legislature is required to divide the state into congressional, legislative, and other districts is no later than the annual general session following the Legislature's receipt of the federal census results?

#### IMPARTIAL ANALYSIS

##### Constitutional Amendment

D modifies a provision requiring the Legislature to divide the state into congressional, legislative, and other districts. The Amendment changes the time frame in which the Legislature is required to make those divisions to be no later than the annual general session following the Legislature's receipt of the federal census results.

##### Current provisions of the Utah Constitution

Under the current Utah Constitution, the Legislature is required to divide the state into congressional, legislative, and other districts at the session next following the federal census. The time frame established by that provision raises two potential issues.

First, the next session after the federal census could potentially be a special session called by the Governor for something unrelated to dividing the state into districts. Even if the Legislature later divided the state into districts at or before the next annual general session of the Legislature, the dividing into districts at that time could be seen as a violation of the Utah Constitution because the dividing did not happen at the earlier special session, which arguably is the "session next following" the federal census.

Second, the time frame established by the current Utah Constitution for the Legislature to divide the state into districts is arguably based on when the federal census takes place, not the Legislature's receipt of the census results. The results of the federal census do not become available until the year after the actual census is conducted. By the time the results of a census are made available, the Legislature has held its next annual general session. The Legislature is currently unable to divide the state into districts at that annual general session, even though it falls after the federal census is conducted, because the results of the federal census are not yet available. The Legislature's failure to divide the state at that annual general session could be seen as a violation of the Utah Constitution's requirement to divide the state at the "session next following" the federal census, even though the Legislature could not accomplish the division because the census results were not yet available.

##### Effect of Constitutional Amendment D

Constitutional Amendment D changes the language describing the time frame that applies to the Utah Constitution's requirement for the Legislature to divide the state into districts. The Amendment requires the Legislature to divide the state into districts no later than the annual general session next following the Legislature's receipt of the federal census. Under this Amendment, whether one or more special sessions are held before the Legislature divides the state into districts does not matter as long as the Legislature divides the state into districts no later than the following annual general session. Likewise, Constitutional Amendment D clarifies that the deadline for the Legislature to divide the state into districts is the annual general session after the Legislature's receipt of the federal census results.

##### Effective date

If approved by voters, Constitutional Amendment D takes effect January 1, 2009.

## IMPARTIAL ANALYSIS (continued)

### Fiscal Impact

Enactment of this Amendment will not likely result in any increase or decrease in revenue or cost to state or local government.

## ARGUMENT IN FAVOR

Constitutional Amendment D is a simple technical change to a constitutional provision addressing the timing of redistricting actions.

Currently, the Legislature is required to finalize new congressional, legislative, and other districts at the next session after the U.S. Census Bureau conducts the census. The problem is that the U.S. Census Bureau does not release the results of the census, upon which the redistricting is based, until April following the census year, a month after the adjournment of the Legislature's annual General Session.

Because the U.S. Census Bureau's count takes place in 2010, the Legislature should finalize the redistricting at the next legislative session (i.e. the 2011 General Session). However, the U.S. Census Bureau would most likely release the census data around April of 2011 (about a month after the 2011 General Legislative Session is complete). Without this constitutional amendment, technically, the Legislature would be required to redistrict based on data it does not yet have.

The proposed change in the constitutional language would require the Legislature to adopt redistricting plans no later than the annual General Session *following* receipt of the results, as opposed to the General Session following the year the census is taken.

A yes vote on Amendment D will allow Utah to receive census data, develop redistricting plans, consider public input, and form new districts in an orderly, common-sense manner

-Curtis S. Bramble  
Utah Senate Majority Leader

## ARGUMENT AGAINST

No argument submitted.

## COMPLETE TEXT CONSTITUTIONAL AMENDMENT D

### Utah Constitution Sections Affected:

AMENDS:

**ARTICLE IX, SECTION**

### Utah Constitution Sections Affected:

AMENDS:

**ARTICLE IX, SECTION 1**

*Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:*

Section 1. It is proposed to amend Utah Constitution Article IX, Section 1, to read:

**Article IX, Section 1. [Dividing the state into districts.]**

[At] No later than the annual general session next following the Legislature's receipt of the results of an enumeration made by the authority of the United States, the Legislature shall divide the state into congressional, legislative, and other districts accordingly.

Section 2. **Submittal to voters.**

The lieutenant governor is directed to submit this proposed amendment to the voters of the state at the next regular general election in the manner provided by law.

Section 3. **Effective date.**

If the amendment proposed by this joint resolution is approved by a majority of those voting on it at the next regular general election, the amendment shall take effect on January 1, 2009.

(H.J.R. 12)

**CONSTITUTIONAL AMENDMENT E**  
**JOINT RESOLUTION AMENDING THE UTAH CONSTITUTION**  
**-STOCK AND BOND SUBSCRIPTIONS**  
2008 GENERAL SESSION

SENATE: 28-0-1  
HOUSE: 71-0-4

**BALLOT TITLE**

**YES**

**NO**

Shall the Utah Constitution be amended to authorize the state to invest money in the newly issued stock or bonds of private companies if the money comes from the State School Fund or from land granted to the state by the federal government, as an exception to a general rule prohibiting those investments?

**IMPARTIAL ANALYSIS**

Constitutional Amendment E provides an exception to a general rule in the Utah Constitution prohibiting state and local governments from subscribing to the stock or bonds of a private company. The Amendment authorizes the State to subscribe to stock or bonds of a private company with money from the permanent State School Fund or with money from certain land granted to the state by the federal government.

**Background and current provisions of the Utah Constitution**

The original 1896 Utah Constitution contained a provision that prohibited state and local governments from subscribing to stock or bonds in aid of any private company. Subscribing to stock or bonds means to buy or to agree to buy stock or bonds of a company that is newly issuing stock or bonds. Buying stock of a private company is buying an ownership interest in the company. Buying the bonds of a private company is essentially lending the company money. The loan is evidenced by bond documents which set forth the interest that the company is obligated to pay on the borrowed amount and the date the company is required to repay the borrowed amount. The purposes of the provision prohibiting government from subscribing to stock or bonds generally include preventing government from using public resources to benefit a single private company and preventing government from risking its resources on a startup company.

The current Utah Constitution continues to prohibit state and local governments generally from subscribing to stock or bonds in aid of any private company. In 2005, however, the Utah Constitution was amended to provide an exception to the general prohibition. The 2005 amendment authorized the state or a public institution of higher education to acquire an ownership interest in a private business in exchange for rights to intellectual property developed by the state or a public institution of higher education.

**Effect of Constitutional Amendment E**

Constitutional Amendment E makes another exception to the general prohibition against state or local government subscribing to stock or bonds of a private company. The Amendment authorizes the state to subscribe to stock or bonds of a private company if the investment is made with money from either or both of two sources: (1) the State School Fund; and (2) lands granted to the state from the federal government.

The State School Fund is a permanent trust fund established by the Utah Constitution. The State School Fund receives money from the sale of certain school and federal lands, revenues from nonrenewable resources on state lands, revenues from the use of school trust lands, revenues appropriated by the Legislature, and other sources. The Utah Constitution requires the money in the fund to be safely invested and held by the state in perpetuity. Interest and dividends received from investing trust fund money are spent for the support of the public education system. Constitutional Amendment E allows the state to use money held in the State School Fund to subscribe to stock or bonds of private companies.

The other money that Constitutional Amendment E allows the state to use to subscribe to stock or bonds is money derived from certain land that the federal government gave the state in connection with the state achieving statehood. This land includes land to benefit higher education, land for the establishment of reservoirs for irrigation, land for the establishment of a school of mines and other schools, and land for the establishment of other state institutions.

## IMPARTIAL ANALYSIS (continued)

### Effective date

If approved by voters, Constitutional Amendment E takes effect January 1, 2009.

### Fiscal impact

Enactment of this Amendment alone will not likely result in any increase or decrease in revenue or cost to state or local government. However, if the state subscribes to stock or bonds using money held in the State School Fund or money derived from federal land grants, as this Amendment authorizes, the amount of earnings from those monies may be affected. Whether the amount of earnings will increase or decrease and the amount of any increase or decrease will depend on: (1) the amount of money the state invests in subscribing to stock or bonds; and (2) the rate of return derived from subscribing to stock or bonds as compared to the rate of return derived from investments the state would otherwise have made with that money. An increase or decrease of 0.1% in the rate of return on the investment of State School Fund and federal land grants money, currently totaling approximately one billion dollars, would result in about a one-million dollar annual increase or decrease in the amount of money available for the support of public and higher education.

## ARGUMENT IN FAVOR

This proposed amendment to the Utah Constitution will delete the archaic subscription to stock prohibition and allow a small portion of the permanent State School Fund, and other institutional trust funds derived from federal grants of land, to be invested in private equity and managed prudently. This prohibition was originally aimed at preventing the state legislature from incurring huge debts by pledging aid to railroad companies to attract rail lines. The subscription to stock prohibition now prevents the fund from being fully diversified. In order to operate effectively in today's financial markets, the State Treasurer must be able to diversify school and institutional trust fund portfolios in an appropriate manner, consistent with the prudent investor standard.

The school children of the state of Utah deserve to have their money invested as prudently and profitably as other private endowment funds. This proposed amendment will in no way affect the investment of the state's short-term funds needed for the operation of the daily business of government.

The benefit of this amendment is that the income derived from lands granted by the federal government to the state for the education of our children and for other state institutions could be invested to maximize income within the safety margins dictated by the prudent investor standard imposed by law upon the State Treasurer in the investment of these funds. Ultimately it should mean more funding for our schools.

This proposed amendment was supported by the Constitutional Revision Commission and passed unanimously by both houses of the legislature. It was supported by the Governor and on his must-pass list. It is supported by the State Treasurer and the Investment Advisory Committee which advises the State Treasurer on the investment of land grant trust funds. It was supported by the State Board of Education and the School Children's Trust staff. The Trust Lands Advisory Committee comprised of representatives of every major education group in the state, also unanimously supported this Constitutional change. There is no known opposition to this constitutional change.

-David Clark  
House Majority Leader

-Ed Alter  
State Treasurer

## ARGUMENT AGAINST

No argument submitted.

# COMPLETE TEXT CONSTITUTIONAL AMENDMENT E

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## Utah Constitution Sections Affected:

AMENDS:

### ARTICLE VI, SECTION 29

*Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:*

Section 1. It is proposed to amend Utah Constitution Article VI, Section 29, to read:

#### **Article VI, Section 29. [Lending public credit and subscribing to stock or bonds forbidden -- Exceptions.]**

(1) Neither the State nor any county, city, town, school district, or other political subdivision of the State may lend its credit or, except as provided in ~~[Subsection]~~ Subsections (2) and (3), subscribe to stock or bonds in aid of any private individual or corporate enterprise or undertaking.

(2) Except as otherwise provided by statute, the State or a public institution of post-secondary education may acquire an equity interest in a private business entity as consideration for the sale, license, or other transfer to the private business entity of intellectual property developed in whole or in part by the State or the public institution of post-secondary education, and may hold or dispose of the equity interest.

(3) Except as limited by statute, the State may subscribe to stock or bonds with:

(a) funds in the permanent State School Fund established in Article X, Section 5; and

(b) funds derived from federal land grants designated in Sections 8 and 12 of the Enabling Act of the State.

#### Section 2. **Submittal to voters.**

The lieutenant governor is directed to submit this proposed amendment to the voters of the state at the next regular general election in the manner provided by law.

#### Section 3. **Effective date.**

If the amendment proposed by this joint resolution is approved by a majority of those voting on it at the next regular general election, the amendment shall take effect on January 1, 2009.

**C.**

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**JUDGES**



## INFORMATION ABOUT JUDGES APPEARING ON YOUR BALLOT

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### Merit Selection of Judges

The office of judge is unique in our society. A judge is a public servant holding an office of high public trust and so should answer to the public. However, the obligation of a judge is to resolve disputes impartially and to base decisions solely upon the facts of the case and the law. A judge, therefore, should be insulated from public pressure.

Merit selection of judges was developed as an alternative to requiring judges to run in contested elections. The Judicial Article of the Utah Constitution, revised effective July 1, 1985, establishes merit selection as the exclusive method of choosing a state court judge. As stated in the Utah Constitution: "*Selection of judges shall be based solely upon consideration of fitness for office without regard to any partisan political consideration.*"

There are four steps in the Utah merit selection plan: nomination, appointment, confirmation and retention election. The nomination of judges is by a committee of lawyers and non-lawyers selected by the Governor. The judicial nominating commission nominates between three and seven of the best qualified candidates from among all applicants. The Governor appoints one of the nominees, who then must be confirmed by a majority of the Utah State Senate.

### Judicial Retention Elections

Under the Utah Constitution, judges must stand for retention election at the end of each term of office. The public has the opportunity to vote whether to retain the judge for another term. Before a judge stands for retention election, he or she is evaluated by the Judicial Council. The Judicial Council is established by the Utah Constitution as the policy making body for the judicial branch of government and is required by its own rules and by statute to evaluate the performance of all judges. As a result of the evaluation, the Judicial Council certifies whether the judge is qualified for retention election. The results of individual evaluations are published in the voter information pamphlet.

### Performance Evaluation Program

The judicial performance evaluation program is required by statute and developed by rule of the Judicial Council. The purpose of the program is two-fold:

- ◇ To provide each judge with information for his or her self improvement; and
- ◇ To provide the public with information upon which to make knowledgeable decisions regarding retention election.

The evaluation of each judge's performance is conducted every two to four years depending on when the judge is standing for retention election. An independent surveyor conducts a poll of lawyers appearing before each judge and asks the lawyer to anonymously evaluate the judge based on several criteria. In addition, a similar survey of jurors is conducted for district court judges and other judges sitting temporarily in the district court. Prior to the close of a judge's term of office, the Judicial Council reviews the results of the attorney and juror polls and other standards of performance and determines whether the judge is qualified for retention.

# INFORMATION ABOUT JUDGES APPEARING ON YOUR BALLOT (continued)

## Criteria for Performance Evaluation

### (A) Integrity:

- (1) avoidance of impropriety and appearance of impropriety;
- (2) freedom from personal bias;
- (3) ability to decide issues based on the law and the facts without regard to the identity of the parties or counsel, the popularity of the decision, and without concern for criticism;
- (4) impartiality of actions;
- (5) compliance with the Code of Judicial Conduct.

### (B) Knowledge and understanding of the law:

- (1) the issuance of legally sound decisions;
- (2) understanding of the substantive, procedural, and evidentiary law of the state;
- (3) attentiveness to the factual and legal issues before the court;
- (4) the proper application of judicial precedents and other appropriate sources of authority.

### (C) Ability to communicate:

- (1) clarity of bench rulings and other oral communications;
- (2) quality of written opinions with specific focus on clarity and logic, and the ability to explain clearly the facts of a case and the legal precedents at issue;
- (3) sensitivity to impact of demeanor and other nonverbal communications.

### (D) Preparation, attentiveness, dignity and control over proceedings:

- (1) courtesy to all parties and participants; and
- (2) willingness to permit every person legally interested in a proceeding to be heard, unless precluded by law.

### (E) Skills as a manager:

- (1) devoting appropriate time to all pending matters;
- (2) discharging administrative responsibilities diligently;
- (3) where responsibility exists for a calendar, knowledge of the number, age, and status of pending cases.

### (F) Punctuality:

- (1) the prompt disposition of pending matters;
- (2) meeting commitments on time and according to rules of the court; and
- (3) compliance with the case processing time standard established by the Council.

### (G) Service to the profession and the public:

- (1) attendance at and participation in judicial and continuing legal education programs;
- (2) consistent with the Code of Judicial Conduct, participation in organizations devoted to improving the justice system;
- (3) consistent with the highest principles of the law, ensuring that the court is serving the public and the justice system to the best of its ability and in such a manner as to instill confidence in the court system; and

- (4) service within the organizations of the judicial branch of government and in leadership positions within the judicial branch of government, such as presiding judge, Judicial Council, Boards of Judges, and standing and ad hoc committees.

### (H) Effectiveness in working with other judges, commissioners and court personnel:

- (1) when part of a multi-judge panel, exchanging ideas and opinions with other judges during the decision-making process;
- (2) critiquing the work of colleagues;
- (3) facilitating the administrative responsibilities of other judges and commissioners; and
- (4) effectively working with court staff.

## Minimum Standards for Performance

The Judicial Council has established the following minimum standards for judicial performance. Some standards apply to all judges and some standards apply to judges of a specific court.

- ◇ A minimum score of 70% on at least 75% of the questions on the attorney survey.
- ◇ A minimum score of 70% on at least 75% of the questions on the juror survey.
- ◇ For justices of the Supreme Court, circulating no more than six principal opinions more than 6 months after submission.
- ◇ For judges of the Court of Appeals, circulating no more than six principal opinions more than 6 months after submission and achieving a final average time to circulation of a principal opinion of not more than 120 days after submission.
- ◇ For judges of the trial courts, no cases under advisement for more than 6 months and no more than 6 cases under advisement for more than 2 months.
- ◇ At least 30 hours of judicial education per year.
- ◇ Substantial compliance with the Code of Judicial Conduct.
- ◇ Physical and mental fitness for office.

If the Council finds the judge met the performance standards, it is presumed the Council will certify the judge for election. If the Council finds the judge did not meet the performance standards, it is presumed the Council will not certify the judge for election. A presumption against certification may be overcome by a showing of good cause to the contrary. A presumption in favor of certification may be overcome by:

- (a) reliable information showing non-compliance with a performance standard; or
- (b) formal or informal sanctions by the Supreme Court of sufficient gravity or number or both to demonstrate lack of substantial compliance with the Code of Judicial Conduct.

## **INFORMATION ABOUT JUDGES APPEARING ON YOUR BALLOT (continued)**

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### **Attorney Survey Questions**

A random sample of attorneys appearing before each judge was asked to rate the judge as "excellent," "more than adequate," "adequate," "less than adequate," and "inadequate" on the following questions. A favorable response is "excellent," "more than adequate," or "adequate." To be certified the Judge must receive a 70% favorable response rate to at least 75% of the following questions and an overall favorable response rate of at least 70%.

### **Questions of Attorneys About Appellate Judges**

- 1) Behavior is free from impropriety and the appearance of impropriety.
- 2) Behavior is free from bias and favoritism.
- 3) Avoids ex parte communications.
- 4) Understands the rules of procedure and evidence.
- 5) Understands the substantive law.
- 6) Perceives legal and factual issues.
- 7) Maintains the quality of questions and comments during oral argument.
- 8) Demonstrates appropriate demeanor.
- 9) Opinions are scholarly and well written.
- 10) Overall, the performance of this justice or judge is:

### **Questions of Attorneys About Trial Court Judges**

- 1) Behavior is free from impropriety and the appearance of impropriety.
- 2) Behavior is free from bias and favoritism.
- 3) Avoids ex parte communications (contact with one party without the other parties present).
- 4) Understands the rules of procedure and evidence.
- 5) Perceives legal and factual issues.
- 6) Is prepared for hearings and trials.
- 7) Demonstrates appropriate demeanor.
- 8) Maintains order in the courtroom.
- 9) Gives parties a fair opportunity to present the case.
- 10) Oral and written decisions and orders are clear and well reasoned.
- 11) Issues orders and opinions without unnecessary delay.
- 12) Effectively uses pretrial procedures to narrow and define the issues.
- 13) Overall, the performance of this judge or commissioner is:

### **Juror Survey Questions**

All jurors trying a case before a district court judge were asked to answer "yes" or "no" to each of the following questions. To be certified the judge must receive a 70% favorable response rate to at least 75% of the following questions and an overall favorable response rate of at least 70%. There are no Jurors in the Supreme Court, Court of Appeals, or juvenile court, and some district court judges are assigned only cases for which there are no jury trials.

### **Questions of Jurors About District Court Judges**

- 1) Did the judge conduct the trial in a fair and impartial manner?
- 2) Did the judge clearly explain court procedures?
- 3) Did the judge clearly explain the jury's responsibilities?
- 4) Did the judge treat people with patience, courtesy and respect?
- 5) Did the judge pay attention?
- 6) Did the judge, to the extent possible, conduct the trial without unexplained delays?
- 7) Did the judge allow sufficient recesses to attend to your personal needs?
- 8) Overall, is the judge a good judge?

Justices of the Supreme Court and judges of the Court of Appeals are statewide offices and appear on the ballots of every county. Judges of the district court and juvenile court appear on the ballots of the counties within their respective judicial districts. Judges of the justice court appear on the ballots of the voting precincts of their court precinct. The judges standing for this election are as follows:

# COURT OF APPEALS



**Judge  
Russell W. Bench**  
Court of Appeals

JUDGE RUSSELL W. BENCH OF THE COURT OF APPEALS FOR THE STATE OF UTAH, SERVES ALL COUNTIES, HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Russell W. Bench was appointed as an original member of the Utah Court of Appeals in 1987 by Governor Norman H. Bangerter. Since earning his law degree from the University of Utah College of Law in 1976, Judge Bench has dedicated most of his professional life to the Utah judiciary. He completed judicial clerkships for Chief Justices F. Henri Henriod and Gordon R. Hail of the Utah Supreme Court. Judge Bench then served as a central staff attorney for the Utah Supreme Court until his appointment to the Court of Appeals. In 1985, during his term as a central staff attorney, Judge Bench earned his Master of Public Administration degree from Brigham Young University. Judge Bench has twice served as the presiding judge of the Court of Appeals, most recently from 2006 to 2008. From 1998 to 2001, he was vice-chair of the Utah Judicial Council and is currently a member of the council's Court Facilities Planning Committee.

Judge Bench has also served on the Judicial Conduct Commission since 2002.

Judge Bench's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. Had fewer than the maximum allowable cases held under advisement.
3. At least 30 hours of continuing judicial education annually.
4. Mentally and physically fit for office.
5. In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys There were 75 respondents for Judge Bench.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10
Total Favorable	%	99	95	100	95	91	89	95	100	88	95
Excellent	%	60	53	67	49	47	44	45	65	42	47
More than Adequate	%	28	30	25	32	27	28	31	25	26	32
Adequate	%	11	11	9	13	17	17	19	9	19	16
Less than Adequate	%	0	4	0	4	7	8	4	0	10	3
Inadequate	%	1	1	0	1	3	3	1	0	3	3



**Judge  
James Z. Davis**  
Court of Appeals

JUDGE JAMES Z. DAVIS OF THE COURT OF APPEALS FOR THE STATE OF UTAH, SERVES ALL COUNTIES, HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge James Z. Davis was appointed to the Utah Court of Appeals by Gov. Michael O. Leavitt in November 1993. He received a law degree from the University of Utah College of Law in 1968. He served in military intelligence in the U.S. Army until 1970. Judge Davis was in private practice from 1971 to 1977, Deputy Weber County Attorney and Weber County Police Legal Advisor from 1973 to 1982, a partner in Thatcher, Glasmann & Davis from 1977 to 1982, and a shareholder and director at Ray, Quinney & Nebeker from 1982 until his appointment to the bench. Judge Davis was president of the Utah State Bar from 1991 to 1992. He completed a two-year term as presiding judge in January 1999.

Judge Davis's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. Had fewer than the maximum allowable cases held under advisement.
3. At least 30 hours of continuing judicial education annually.
4. Mentally and physically fit for office.
5. In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys There were 89 respondents for Judge Davis.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10
Total Favorable	%	99	99	100	91	89	90	96	99	91	94
Excellent	%	57	53	67	42	38	40	49	56	37	45
More than Adequate	%	26	28	17	26	27	24	19	27	28	23
Adequate	%	16	18	17	23	24	26	27	16	26	27
Less than Adequate	%	1	1	0	8	8	7	3	1	3	1
Inadequate	%	0	0	0	1	3	3	1	0	6	5

# COURT OF APPEALS



**Judge  
Pamela T. Greenwood**  
Court of Appeals

JUDGE PAMELA T. GREENWOOD OF THE COURT OF APPEALS FOR THE STATE OF UTAH, SERVES ALL COUNTIES, HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Pamela T. Greenwood was appointed to the Utah Court of Appeals by Gov. Norman H. Bangerter in January 1987. She received a law degree in 1972 from the University of Utah College of Law. Judge Greenwood served as general counsel and vice president of First Interstate Bank of Utah for seven years. She was counsel for the Utah State Bar from 1977 to 1980 and an attorney with the law firm of Roe and Fowler from 1976 to 1977. Judge Greenwood is a past president of the Utah State Bar, was a member of the Gender and Justice Task Force, and served as vice chair of the Utah Judicial Council from 1992 to 1998. She was acting State Court administrator from January 1995 to September 1995. Judge Greenwood was honored as the Utah Woman Lawyer of the Year in 1993 and received a Special Service Award from the Utah State Bar in 1996. She chaired the Privacy and Public Court Records Committee and is a member of the Court Improvement Project. Judge Greenwood currently serves as presiding judge of the Court of Appeals.

Judge Greenwood's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. Had fewer than the maximum allowable cases held under advisement.
3. At least 30 hours of continuing judicial education annually.
4. Mentally and physically fit for office.
5. In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys There were 89 respondents for Judge Greenwood.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10
Total Favorable	%	100	99	100	98	94	96	97	100	95	98
Excellent	%	65	62	69	42	39	38	43	60	39	42
More than Adequate	%	20	23	16	34	32	30	30	24	31	32
Adequate	%	15	15	15	22	24	27	24	17	25	25
Less than Adequate	%	0	1	0	2	5	2	2	0	1	0
Inadequate	%	0	0	0	0	1	2	1	0	3	2



**Judge  
Carolyn B. McHugh**  
Court of Appeals

JUDGE CAROLYN B. MCHUGH OF THE COURT OF APPEALS FOR THE STATE OF UTAH, SERVES ALL COUNTIES, HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Carolyn B. McHugh was appointed to the Utah Court of Appeals by Gov. Jon M. Huntsman, Jr., in August 2005. She received her law degree in 1982 from the University of Utah College of Law, where she was an editor of the Utah Law Review and a member of the Order of the Coif. Upon graduation, Judge McHugh served as a law clerk to Judge Bruce S. Jenkins of the United States District Court for the District of Utah. She was a shareholder in the Salt Lake City law firm of Parr Waddoups Brown Gee & Loveless until her appointment to the bench. Judge McHugh is a past president of Women Lawyers of Utah, co-chair of the American Bar Association Conference of Environmental Law, and chair of the Utah State Bar Needs of Children Committee. She has been honored as the Christine M. Durham Utah Women Lawyer of the Year, the University of Utah Young Alumna of the Year, and chair of the Utah State Bar Distinguished Committee

Judge McHugh's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. Had fewer than the maximum allowable cases held under advisement.
3. At least 30 hours of continuing judicial education annually.
4. Mentally and physically fit for office.
5. In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys There were 59 respondents for Judge McHugh.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10
Total Favorable	%	100	98	100	95	90	93	95	98	93	95
Excellent	%	64	63	74	55	45	43	52	63	51	51
More than Adequate	%	23	19	17	16	21	29	29	27	20	28
Adequate	%	13	17	9	24	24	21	14	9	22	16
Less than Adequate	%	0	0	0	4	9	5	3	0	0	2
Inadequate	%	0	2	0	2	2	2	2	2	7	4

# COURT OF APPEALS



**Judge  
Gregory K. Orme**  
Court of Appeals

Judge Gregory K. Orme was appointed to the Utah Court of Appeals by Gov. Norman H. Bangertter in January 1987. He graduated from the University of Utah in 1975. Three years later he received a law degree, with high honors, from George Washington University, in Washington D.C. Judge Orme served as a law clerk to Judge Monroe G. McKay, Tenth Circuit Court of Appeals, and was a partner in the law firm of VanCott, Bagley, Cornwall & McCarthy. Judge Orme has served a two-year term as presiding judge, two prior terms on the Judicial Council, six years as chair of the Ethics Advisory Committee, and ten years on the Judicial Performance Evaluation Committee. Judge Orme currently serves on the Judicial Council, the Utah Supreme Court's Advisory Committee on the Rules of Appellate Procedure, the Advisory Committee on Professionalism, and the Utah Sentencing Commission. Judge Orme is also the judicial advisor to the Utah Bar Journal and a member of the executive committee of the Utah State Bar's Appellate Practice Section. Judge Orme is the recipient of the Utah State Bar's annual awards for Young Lawyer of the Year (1986) and Judge of the Year (2007). He is a Fellow of the American Bar Foundation.

JUDGE GREGORY K. ORME OF THE COURT OF APPEALS FOR THE STATE OF UTAH, SERVES ALL COUNTIES, HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Orme's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. Had fewer than the maximum allowable cases held under advisement.
3. At least 30 hours of continuing judicial education annually.
4. Mentally and physically fit for office.
5. In substantial compliance with the Code of Judicial Conduct

**Survey of Attorneys**

There were 87 respondents for Judge Orme.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10
Total Favorable	%	95	95	99	95	95	94	95	98	94	93
Excellent	%	53	54	61	52	47	46	55	56	48	51
More than Adequate	%	35	35	30	39	36	36	32	29	35	35
Adequate	%	8	7	9	5	13	13	8	13	12	8
Less than Adequate	%	3	4	0	2	1	2	3	1	2	3
Inadequate	%	1	1	1	2	3	3	1	1	4	3

# FIRST JUDICIAL DISTRICT



Judge Ben H. Hadfield was appointed to the First District Court in March 1993 by Gov. Michael O. Leavitt. He serves Box Elder, Cache, and Rich counties. After graduating from the J. Reuben Clark College of Law at Brigham Young University in 1978, he joined the firm of Mann, Hadfield & Thorne and later became a partner. Judge Hadfield is a past president of the Rex E. Lee Inn of Court. In addition to his courtroom responsibilities he has served the Courts on the Ethics Advisory Committee, on the Board of District Court Judges and as a member of the Judicial Council. Judge Hadfield served as presiding judge in the First District from July 2004 to July 2006. He currently serves as a member of the Board of District Court Judges.

**Judge Ben H. Hadfield**  
 District Court  
 First Judicial District  
 (Box Elder, Cache, Rich)

JUDGE BEN H. HADFIELD OF THE FIRST JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Hadfield's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

**Survey of Attorneys**

There were 108 respondents for Judge Hadfield.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	95	95	98	96	95	95	98	98	96	97	94	94	95
Excellent	%	51	45	52	42	39	43	54	50	46	31	39	34	40
More than Adequate	%	28	29	28	33	33	34	29	31	34	44	37	40	36
Adequate	%	17	20	18	22	23	19	16	18	16	22	19	20	19
Less than Adequate	%	2	2	0	1	1	2	1	1	1	0	2	3	2
Inadequate	%	3	4	2	3	4	3	1	1	3	3	4	3	3

**Survey of Jurors** There were 32 respondents for Judge Hadfield.

Yes	%	100	100	100	100	100	100	100	100
No	%	0	0	0	0	0	0	0	0

# FIRST JUDICIAL DISTRICT



**Judge  
Larry E. Jones**  
Juvenile Court  
First Judicial District  
(Box Elder, Cache, Rich)

JUDGE LARRY E. JONES OF THE JUVENILE COURT FOR THE FIRST JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Larry E. Jones was appointed to the First District Juvenile Court in September 1999 by Gov. Michael O. Leavitt. He serves Box Elder, Cache, and Rich counties. Judge Jones received his law degree from the University of Utah College of Law in 1981. He worked for the law firm of Hillyard, Anderson & Olsen (formerly Hillyard, Low & Anderson) from 1981 until his appointment to the bench. Judge Jones is associate presiding judge in the First Judicial District, a member of the Disproportionate Minority Committee, and a member of the Utah State Bar Family Law Section Executive Committee where he has served since 1986. He was named the Family Law Section's Family Law Lawyer of the year in 1993, is a former president of the Cache County Bar, and has served as a member of the Board of Juvenile Court Judges and as a member of the Court's Standing Committee on Family and Juvenile Justice. Judge Jones has served on civic and university boards and committees, and is currently a member of the Programming Committee for the Cache Valley Center for the Arts where he served for several years on the Board of Directors. Judge Jones also taught a Family Law course at Utah State University from 1992 to 1995.

Judge Jones's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. Had fewer than the maximum allowable cases held under advisement.
3. At least 30 hours of continuing judicial education annually.
4. Mentally and physically fit for office.
5. In substantial compliance with the Code of Judicial Conduct.

**Survey of Attorneys**

There were 31 respondents for Judge Jones.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	94	94	97	93	93	97	87	97	94	93	96	93	94
Excellent	%	45	42	52	37	33	48	45	45	45	30	37	33	32
More than Adequate	%	32	36	29	20	30	26	29	26	26	33	33	26	39
Adequate	%	16	16	16	37	30	23	13	26	23	30	26	33	23
Less than Adequate	%	0	0	0	3	3	0	7	0	0	4	0	4	3
Inadequate	%	7	7	3	3	3	3	7	3	7	4	4	4	3



**Judge  
Thomas L. Willmore**  
District Court  
First Judicial District  
(Box Elder, Cache, Rich)

JUDGE THOMAS L. WILMORE OF THE FIRST JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Thomas L. Willmore was appointed to the First District Court in January 1999 by Gov. Michael O. Leavitt. He serves Cache, Box Elder and Rich counties. Judge Willmore graduated from Utah State University and received his law degree from the University of Pacific McGeorge School of Law. At the time of his appointment to the bench, he was an attorney/shareholder with the law firm of Olson & Hoggan. Judge Willmore's service in the Judiciary includes: Presiding Judge (2006-present); Chair and member of the Board of District Court Judges (2001-2006); Supreme Court Advisory Committee on Rules of Criminal Procedure and member of the Utah Access to Justice Council. Judge Willmore established and presides over the Drug Courts for Cache County and Box Elder County.

Judge Willmore's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

**Survey of Attorneys**

There were 92 respondents for Judge Willmore.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	98	96	99	93	94	100	88	97	97	93	95	98	97
Excellent	%	61	54	60	48	46	47	47	55	49	44	46	44	46
More than Adequate	%	23	28	26	32	36	38	27	32	33	36	33	40	39
Adequate	%	14	13	13	14	12	15	14	10	15	14	16	14	12
Less than Adequate	%	1	3	1	5	4	0	8	1	2	5	6	1	2
Inadequate	%	1	1	0	1	2	0	4	2	1	2	0	1	1

**Survey of Jurors** There were 27 respondents for Judge Willmore.

Yes	%	100	100	100	100	100	96	100	100
No	%	0	0	0	0	0	4	0	0



## SECOND JUDICIAL DISTRICT



**Judge  
Parley R. Baldwin**  
Second District Court  
(Weber, Davis, Morgan)

JUDGE PARLEY R. BALDWIN OF THE SECOND JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Parley R. Baldwin was appointed to the Second Circuit Court in June 1987 by Gov. Norman H. Bangerter. He became a judge in the Second District Court in July 1996. He serves Davis, Morgan, and Weber counties. He received a law degree from the University of Utah College of Law in 1972. Prior to his appointment to the bench, Judge Baldwin was a law clerk for the Utah Supreme Court, a partner in the Ogden law firm of Browning, Blackburn & Baldwin, and corporate counsel to Ogden City and the Ogden Neighborhood Development Agency. He has served as a Bar Examiner for the Utah State Bar Association, and is a former member of the Standing Committee on Technology. Judge Baldwin is a past presiding judge of the Second Circuit Court, has served on the Board of Circuit Court Judges, and is a former member of the Utah Judicial Council. He presently serves as the presiding judge of the Second District Court.

Judge Baldwin's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

### Survey of Attorneys

There were 110 respondents for Judge Baldwin.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	99	96	97	97	96	100	99	100	100	95	100	100	100
Excellent	%	67	67	68	58	58	63	69	66	64	57	62	62	62
More than Adequate	%	26	26	26	35	33	29	25	26	28	35	31	29	31
Adequate	%	6	4	3	5	6	8	6	8	8	4	8	9	7
Less than Adequate	%	1	4	3	3	3	0	1	0	0	5	0	0	0
Inadequate	%	0	0	0	0	1	0	0	0	0	0	0	0	0

### Survey of Jurors

There were 58 respondents for Judge Baldwin.

Yes	%	100	100	100	100	98	100	100	100
No	%	0	0	0	0	2	0	0	0

## SECOND JUDICIAL DISTRICT



**Judge Paul F. Iwasaki**  
Juvenile Court  
Second Judicial District  
(Weber, Davis, Morgan)

JUDGE PAUL F. IWASAKI OF THE JUVENILE COURT FOR THE SECOND JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Paul T. Iwasaki was appointed to the Second District Juvenile Court by Gov. Jon M. Huntsman, Jr. in September 2005. He serves Davis, Morgan, and Weber counties. Judge Iwasaki received a law degree from the University of Utah College of Law in 1980 and served as a prosecutor with the Salt Lake County Attorney's Office from 1981 to 1987. From 1987 to 1989, Judge Iwasaki served as an administrative law judge with the Department of Employment Security. He then worked as an administrative law judge with the Utah State Tax Commission and as the Director of Appeals and Legal Affairs until 1994, at which time he joined the Utah Attorney General's Office. While at the Attorney General's Office, he served first in the Tax and Revenue Division, and later in the Child Protection Division. In 2002, Judge Iwasaki was appointed to the Salt Lake City Justice Court where he served until his appointment to the Second District Juvenile Court bench. He currently serves on the Judicial Outreach Committee and is the Associate Presiding Judge for the Second District Juvenile Court.

Judge Iwasaki's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. Had fewer than the maximum allowable cases held under advisement.
3. At least 30 hours of continuing judicial education annually.
4. Mentally and physically fit for office.
5. In substantial compliance with the Code of Judicial Conduct.

### Survey of Attorneys

There were 29 respondents for Judge Iwasaki.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	100	93	96	96	97	100	93	100	93	87	100	88	97
Excellent	%	55	46	58	32	35	38	45	52	38	39	42	38	38
More than Adequate	%	28	29	29	32	35	41	28	45	28	22	33	29	41
Adequate	%	17	18	8	32	28	21	21	3	28	26	25	21	17
Less than Adequate	%	0	7	4	0	0	0	3	0	7	9	0	8	3
Inadequate	%	0	0	0	4	3	0	3	0	0	4	0	4	0



**Judge Thomas L. Kay**  
District Court  
Second Judicial District  
(Weber, Davis, Morgan)

JUDGE THOMAS L. KAY OF THE SECOND JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Thomas L. Kay was appointed to the Second District Court in June 1998 by Gov. Michael O. Leavitt. He serves Davis, Morgan, and Weber counties. He received a law degree from Brigham Young University in 1979 where he served as a Note and Comment Editor of the BYU Law Review. After a 1 1/2 year clerkship with U.S. District Judge David K. Winder, he maintained a civil trial practice with Ray, Quinney & Nebeker and Snell & Wilmer until his appointment to the bench. Judge Kay served on the Utah Supreme Court's Advisory Committee on the Rules of Professional Conduct, was a mediator in U.S. District Court, and a judge pro tem in the Third District Court. He has served in the Litigation Sections for the American Bar Association; and on the committee on Professional Liability Litigation of the American Bar Association. He is a Master of the Bench for the Rex E. Lee American Inn of Court. Judge Kay currently serves on the Utah Supreme Courts Advisory Committee on Evidence, the Jury Improvement Committee, and on the Board of District Court Judges. Judge Kay is a frequent presenter to youth and school groups.

Judge Kay's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

### Survey of Attorneys

There were 110 respondents for Judge Kay.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	95	94	95	94	94	95	89	96	95	92	96	97	95
Excellent	%	48	45	46	43	40	48	39	44	40	35	39	41	40
More than Adequate	%	32	36	33	35	35	29	35	37	37	39	35	37	37
Adequate	%	15	14	16	16	19	17	16	16	17	18	22	20	17
Less than Adequate	%	5	5	5	5	4	4	8	2	4	5	3	2	4
Inadequate	%	1	2	0	2	3	2	3	2	2	3	1	1	2

### Survey of Jurors

There were 24 respondents for Judge Kay.

Yes	%	100	100	100	100	100	100	100	100
No	%	0	0	0	0	0	0	0	0

## SECOND JUDICIAL DISTRICT



**Judge  
Michael D. Lyon**  
District Court  
Second Judicial District  
(Weber, Davis, Morgan)

Judge Michael D. Lyon was appointed to the Second District Court in July 1992 by Governor Norman H. Bangerter. He serves Weber, Morgan, and Davis Counties. He is a member of the Utah Judicial Council. He was a member of the governor's Child Support Guidelines Advisory Committee, chair and member of Utah's Board of District Court Judges, and presiding judge and associate presiding judge of the Second District Court. He was founding president of the Rex E. Lee American Inn of Court, dedicated to promote ethics and professionalism within the legal profession, and remains active in the Inn today. Before becoming a district judge, he was the justice court judge for South Ogden City and practiced law with the law firm of Lyon, Helgesen, Waterfall & Jones in Ogden, emphasizing civil litigation. He is a former Clinton City attorney and deputy Weber County attorney. He is a past member of the Ethics & Disciplinary Committee and the Courts and Judges Committee of the Utah State Bar. He has published articles, once in law school and twice as a judge. He received his bachelor's degree, cum laude, from Weber State College and his juris doctor degree from the University of Utah in 1971.

JUDGE MICHAEL D. LYON OF THE SECOND JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Lyon's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

### Survey of Attorneys

There were 117 respondents for Judge Lyon.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	96	92	98	97	92	96	97	99	98	94	94	96	92
Excellent	%	62	55	67	54	52	59	62	62	56	54	55	53	57
More than Adequate	%	23	24	23	27	23	28	24	27	29	25	26	32	26
Adequate	%	10	14	8	15	17	9	11	10	12	15	12	11	9
Less than Adequate	%	3	5	2	3	6	3	2	1	3	3	3	4	5
Inadequate	%	2	3	0	1	2	1	2	0	0	4	4	1	3

### Survey of Jurors

There were 77 respondents for Judge Lyon.

Question	%	1	2	3	4	5	6	7	8	9	10
Yes	%	100	100	100	100	100	100	98	100		
No	%	0	0	0	0	0	0	1	0		

## SECOND JUDICIAL DISTRICT



**Judge**  
**Jon M. Memmott**  
 District Court  
 Second Judicial District  
 (Weber, Davis, Morgan)

Judge Jon M. Memmott was appointed to the Second District Court in August 1992 by Gov. Norman H. Bangerter. He serves in Davis, Morgan and Weber counties. Judge Memmott received his Juris Doctorate and Bachelor of Science degrees from Arizona State University and a Master of Public Administration degree from Brigham Young University. He served as Arizona Assistant Attorney General from 1974 to 1976. He was the director of the Utah Office of Legislative Research and General Counsel from 1976 to 1984. Judge Memmott served as Governor Bangerter's chief of staff/legal counsel from 1984 to 1988, then returned to private practice until his appointment to the bench. Judge Memmott is a past presiding Judge for the Second District, past member of the Board of District Court Judges and Judicial Council. Judge Memmott started the Drug Court Program in Davis County and serves on a National Drug Court Advisory Council. He has served as a member of the Tax Review Commission and presently serves as vice-chair of the Utah Constitutional Revision Commission. Judge Memmott has taught human resource law as an adjunct professor at Brigham Young University for 25 years.

JUDGE JON M. MEMMOTT OF THE SECOND JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Memmott's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

### Survey of Attorneys

There were 113 respondents for Judge Memmott.

Question (see page 50)	%	1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	97	96	99	95	93	98	96	99	95	94	94	94	97
Excellent	%	51	47	51	45	43	50	53	52	45	45	47	45	49
More than Adequate	%	30	30	30	29	31	27	27	28	35	28	26	27	28
Adequate	%	16	19	18	20	19	21	17	19	14	21	20	22	20
Less than Adequate	%	3	4	1	4	5	1	4	1	4	6	5	5	3
Inadequate	%	0	0	0	1	2	1	0	0	1	1	2	1	1

### Survey of Jurors

There were 86 respondents for Judge Memmott.

Question	%	1	2	3	4	5	6	7	8
Yes	%	100	100	100	100	100	100	100	100
No	%	0	0	0	0	0	0	0	0

## SECOND JUDICIAL DISTRICT



**Judge  
John R. Morris**  
District Court  
Second Judicial District  
(Weber, Davis, Morgan)

JUDGE JOHN R. MORRIS OF THE SECOND JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge John R. Morris was appointed to the Second District Court in September 2004 by Gov. Olene S. Walker. He serves Davis, Morgan, and Weber counties. Judge Morris received his bachelor's degree in astrophysics from Princeton University, an M.B.A. degree from Brigham Young University, and his law degree magna cum laude from Brigham Young University. He is admitted to practice law in Utah, California, and with the U.S. Patent Office. Judge Morris practiced law in California with Pillsbury, Madison & Sutro before returning to Utah with LeBoeuf, Lamb, Leiby & MacRae, where he became a partner. Most recently, he was a founding partner of Snell & Wilmer L.L.P.'s Salt Lake City office. Judge Morris has extensive experience representing businesses in a wide variety of domestic and foreign technology, corporate, and financial transactions, and has served as a director of several financial institutions and as a commissioner with the Utah State Digital Health Commission. Judge Morris has published, and has been a frequent presenter, on corporate, intellectual property, technology, e-commerce, and computer law topics. Judge Morris is chair of the Online Court Assistance Program Policy Board and a member of the court's Standing Committee on Technology.

Judge Morris's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

### Survey of Attorneys

There were 102 respondents for Judge Morris.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	95	97	93	92	96	98	96	99	97	94	97	98	96
Excellent	%	62	56	56	40	41	53	56	50	48	39	41	37	44
More than Adequate	%	25	29	26	26	33	28	26	33	33	38	33	32	30
Adequate	%	8	12	11	26	22	17	14	16	16	17	23	29	22
Less than Adequate	%	1	2	3	6	2	1	2	1	2	5	2	1	2
Inadequate	%	4	1	4	2	2	1	2	0	1	1	1	1	2

### Survey of Jurors

There were 38 respondents for Judge Morris.

Yes	%	100	100	100	100	100	95	100	100
No	%	0	0	0	0	0	5	0	0



**Judge  
Kathleen M. Nelson**  
Juvenile Court  
Second Judicial District  
(Weber, Davis, Morgan)

JUDGE KATHLEEN M. NELSON OF JUVENILE COURT FOR THE SECOND JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Kathleen M. Nelson was appointed to Second District Juvenile Court in November 1998 by Governor Michael O. Leavitt. She serves Davis, Morgan and Weber Counties. Judge Nelson received her law degree from the University of Utah College of Law. At the time of her appointment to the bench, she was an attorney in the Second District's Guardian ad Litem Office. Prior to that, she was a sole practitioner from 1985 to 1994 and was an attorney with the law firm of Diument, Harward & Nelson from 1976 to 1985. Judge Nelson has served as presiding judge of the Second District Juvenile Court and is a member of the board of Juvenile Court Judges. Judge Nelson also serves on the Court Facilities Planning Committee, Alternative Dispute Resolution Committee, and the Children and Family Law Committee. Judge Nelson has been instrumental in the development of Drug Courts in the Second District Juvenile Court and currently presides over Weber County Family Drug Court and Delinquency Drug Court.

Judge Nelson's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. Had fewer than the maximum allowable cases held under advisement.
3. At least 30 hours of continuing judicial education annually.
4. Mentally and physically fit for office.
5. In substantial compliance with the Code of Judicial Conduct.

### Survey of Attorneys

There were 41 respondents for Judge Nelson.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	98	95	92	98	95	95	98	98	98	95	89	98	95
Excellent	%	33	25	28	33	27	30	34	34	32	29	25	25	32
More than Adequate	%	43	45	41	33	42	40	37	44	42	40	44	38	39
Adequate	%	23	25	23	33	27	25	27	20	24	26	19	35	24
Less than Adequate	%	3	5	5	0	2	3	0	0	0	3	8	0	2
Inadequate	%	0	0	3	3	2	3	2	2	2	3	3	3	2

# THIRD JUDICIAL DISTRICT



**Judge Robert W. Adkins**  
District Court  
Third Judicial District  
(Salt Lake, Summit,  
Tooele)

JUDGE ROBERT W. ADKINS OF THE THIRD JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Robert W. Adkins was appointed to the Third District Court in December 2004 by Gov. Olene Walker. He serves Salt Lake, Summit, and Tooele counties. He received his law degree from the University of Utah College of Law in 1972. Judge Adkins worked at the Salt Lake County Attorney's Office, Roe & Fowler law office, Adkins and Christiansen law office, and was the Summit County attorney from 1975 until his appointment to the bench. He is a past member of the National District Attorney's Association and is a member of the Utah State Bar and the Salt Lake County Bar. He served 10 years as a small claims court judge in Summit County. Since 2006, he has served on the Salt Lake County Children's Justice Center Advisory Board.

Judge Adkins's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

**Survey of Attorneys**

There were 87 respondents for Judge Adkins.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	97	94	100	95	95	98	99	98	98	90	98	97	93
Excellent	%	60	56	59	46	44	46	69	50	54	43	46	40	46
More than Adequate	%	28	29	34	33	39	40	23	34	35	30	29	29	40
Adequate	%	9	9	7	17	13	12	7	14	9	17	23	28	7
Less than Adequate	%	2	3	0	1	5	1	0	2	1	8	1	0	6
Inadequate	%	1	2	0	4	0	1	1	0	1	3	1	3	1

**Survey of Jurors** There were 62 respondents for Judge Adkins.

Yes	%	100	100	100	100	100	98	100	100
No	%	0	0	0	0	0	2	0	0



**Judge Christine S. Decker**  
Juvenile Court  
Third Judicial District  
(Salt Lake, Summit,  
Tooele)

JUDGE CHRISTINE S. DECKER OF THE JUVENILE COURT FOR THE THIRD JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Christine S. Decker was appointed to the Third District Juvenile Court in August 2004 by Gov. Olene Walker. She serves Salt Lake, Summit, and Tooele counties. Judge Decker graduated cum laude in 1971 from Georgetown University in International Relations, and received a law degree from the University of Utah College of Law in 1975. From 1977 to 1978, she worked as a deputy county attorney in Salt Lake County, and as a bail commissioner for Salt Lake City in 1979. Judge Decker worked in private practice from 1994 to 1997, and as a Guardian ad Litem in Third District Juvenile Court from 1997 to 2002. Prior to her appointment to the bench, Judge Decker was an assistant attorney general in the child protection division. She currently serves on the advisory board of the Good Samaritan Program.

Judge Decker's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. Had fewer than the maximum allowable cases held under advisement.
3. At least 30 hours of continuing judicial education annually.
4. Mentally and physically fit for office.
5. In substantial compliance with the Code of Judicial Conduct.

**Survey of Attorneys**

There were 60 respondents for Judge Decker.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	98	95	97	97	97	98	97	98	98	98	98	98	97
Excellent	%	45	43	47	42	48	52	55	50	47	40	40	35	48
More than Adequate	%	43	42	40	41	38	37	33	38	42	40	46	44	40
Adequate	%	10	10	9	14	10	10	8	10	10	18	12	19	8
Less than Adequate	%	2	3	4	3	3	2	3	2	2	2	2	2	3
Inadequate	%	0	2	0	0	0	0	0	0	0	0	0	0	0

# THIRD JUDICIAL DISTRICT



**Judge Deno Himonas**  
District Court  
Third Judicial District  
(Salt Lake, Summit, Tooele)

JUDGE DENO HIMONAS OF THE THIRD JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Deno Himonas was appointed to the Third District Court in May 2004 by Gov. Olene Walker. Judge Himonas graduated Magna Cum Laude and Phi Beta Kappa from the University of Utah in 1986 and received his J.D. from the University of Chicago in 1989. Upon graduating from law school, Judge Himonas returned to Utah and spent the next 15 years working with the law firm of Jones, Waldo, Holbrook, and McDonough, where he focused on complex civil litigation. Judge Himonas is a past chairperson of the Litigation Section of the Utah State Bar. He currently serves on the Code of Judicial Conduct Committee and the Criminal Jury Instructions Committee.

Judge Himonas's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

**Survey of Attorneys**

There were 129 respondents for Judge Himonas

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	98	95	98	98	98	100	96	99	95	96	99	98	98
Excellent	%	60	53	52	52	55	60	57	55	49	55	53	45	48
More than Adequate	%	25	27	35	31	29	26	30	31	34	28	32	35	38
Adequate	%	13	15	11	15	14	14	10	13	12	13	14	19	12
Less than Adequate	%	2	5	2	1	2	0	3	1	3	4	1	2	2
Inadequate	%	0	1	0	2	0	0	1	1	2	0	0	0	0

**Survey of Jurors**

There were 152 respondents for Judge Himonas

	%	100	100	100	100	100	99	100	100
Yes	%	100	100	100	100	100	99	100	100
No	%	0	0	0	0	0	1	0	0



**Judge Glenn K. Iwasaki**  
District Court  
Third Judicial District  
(Salt Lake, Summit, Tooele)

JUDGE GLENN K. IWASAKI OF THE THIRD JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Glenn K. Iwasaki was appointed to the Third District Court in July 1992 by Gov. Norman H. Bangerter. He serves Salt Lake, Summit, and Tooele counties. Judge Iwasaki graduated in 1971 from the University of Utah College of Law and served as a Deputy Salt Lake County Attorney. He was also trial attorney for the Salt Lake Legal Defenders Association and was a partner in the law firm of Collard, Pixton, Iwasaki & Downes. Judge Iwasaki has been an Adjunct Professor of Law at the University of Utah and has served on the Board of Trustees, University of Utah College of Law Alumni Association and chair of the Youth Parole Authority. During his tenure as deputy Salt Lake County Attorney, he served as Unit Chief for the Special Victims Prosecution Unit. Judge Iwasaki has served as a member of the Utah Supreme Court Advisory Committee on the Rules of Criminal Procedure, the Utah Task Force on Racial and Ethnic Fairness in the Judicial System, the Committee on Improving Jury Service, and the KUED Board. He is a Fellow of the American Bar Foundation and a recipient of the Raymond S. Uno Award in 2007 and the Judge of the Year Award in 2008 from the Utah State Bar.

Judge Iwasaki's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct

**Survey of Attorneys**

There were 109 respondents for Judge Iwasaki.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	97	95	100	96	95	98	98	99	96	94	97	98	96
Excellent	%	72	64	69	65	63	65	67	68	63	55	62	60	63
More than Adequate	%	16	20	22	22	23	23	24	25	26	25	25	21	24
Adequate	%	9	11	9	9	9	10	7	6	7	15	11	17	9
Less than Adequate	%	2	4	0	4	4	1	2	0	4	4	2	2	3
Inadequate	%	1	1	0	0	1	1	0	1	0	2	1	0	1

**Survey of Jurors** There were 8 respondents for Judge Iwasaki.

	%	100	100	100	100	100	100	100	100
Yes	%	100	100	100	100	100	100	100	100
No	%	0	0	0	0	0	0	0	0

# THIRD JUDICIAL DISTRICT



**Judge  
John Paul Kennedy**  
District Court  
Third Judicial District  
(Salt Lake, Summit,  
Tooele)

JUDGE JOHN PAUL KENNEDY OF  
THE THIRD JUDICIAL DISTRICT HAS  
BEEN CERTIFIED BY THE UTAH  
JUDICIAL COUNCIL FOR RETENTION  
IN THE 2008 GENERAL ELECTION

Judge John Paul Kennedy was appointed to the Third District Court in September 2004 by Gov. Olene Walker. He serves Salt Lake, Summit, and Tooele counties. Judge Kennedy graduated with honors from Harvard University in 1963. In 1966 he received a Juris Doctor degree from Stanford University Law School where he was selected on the basis of his academic standing to be a member of the Board of Editors of the Stanford Law Review. He practiced law in Chicago, Illinois, from 1966 until 1972. In Utah, Judge Kennedy was a partner in the law firms of Boyden & Kennedy, Nielson & Senior, and Edwards, McCoy & Kennedy. During his career, his practice focused on labor law, employment relations, and Indian affairs. He served as attorney general or assistant attorney general for seven Indian tribal governments. Prior to his appointment to the bench, Judge Kennedy devoted three years doing volunteer service in St. Petersburg, Russia. Judge Kennedy is a Regional Director of the Harvard Alumni Association representing the U.S. Southwest Region and is a member of the local and international Harvard Schools & Scholarship Committees. He is a member of the Utah State Bar Association and the Salt Lake County Bar Association.

Judge Kennedy's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys There were 84 respondents for Judge Kennedy.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	89	86	94	69	68	83	85	92	89	81	91	84	75
Excellent	%	29	27	33	25	25	25	29	31	29	24	22	24	20
More than Adequate	%	29	27	28	20	17	25	28	27	25	23	27	21	29
Adequate	%	31	32	33	24	26	33	27	33	36	35	42	39	26
Less than Adequate	%	9	11	5	19	17	8	11	4	5	8	5	8	16
Inadequate	%	1	4	1	12	16	8	5	5	6	11	4	8	10

Survey of Jurors There were 66 respondents for Judge Kennedy.

Question		1	2	3	4	5	6	7	8	9	10	11	12	13
Yes	%	99	99	100	100	100	99	100	100					
No	%	1	1	0	0	0	1	0	0					



# THIRD JUDICIAL DISTRICT



**Judge  
Denise Posse-Blanco  
Lindberg**  
District Court  
Third Judicial District  
(Salt Lake, Summit,  
Tooele)

JUDGE DENISE POSSE-BLANCO  
LINDBERG OF THE THIRD JUDICIAL  
DISTRICT HAS BEEN CERTIFIED BY  
THE UTAH JUDICIAL COUNCIL FOR  
RETENTION IN THE 2008 GENERAL  
ELECTION

Judge Denise Posse-Blanco Lindberg was appointed to the Third District Court by Gov. Michael O. Leavitt, effective November 1998. Judge Lindberg earned masters' and doctoral degrees from the University of Utah. She practiced social work before receiving her J.D., magna cum laude from Brigham Young University in 1988, where she was articles editor of the Law Review. She clerked for the Honorable Monroe G. McKay, U.S. Tenth Circuit Court of Appeals, and for the Honorable Sandra Day O'Connor, Supreme Court of the United States. Judge Lindberg practiced appellate and healthcare law in Washington, D.C. and in Salt Lake City before her appointment to the bench. She has served on various Utah Bar committees including the Legal/Healthcare committee, the Courts and Judges committee, and the Ethics Advisory Opinion committee. She chairs the Utah Supreme Court's Advisory Committee on Criminal Jury Instructions, and is one of five judiciary members statewide trained as a science and technology resource judge. In May 2000, Judge Lindberg was elected a member of the American Law Institute (ALI); she is currently an Adviser to ALI's Model Penal Code: Criminal Sentencing Reform Project. She is a Master of the Bench with the American Inns of Court.

Judge Lindberg's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

### Survey of Attorneys

There were 102 respondents for Judge Lindberg.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	77	68	87	73	75	87	64	81	75	79	79	81	75
Excellent	%	25	20	30	17	18	21	18	18	16	14	14	11	14
More than Adequate	%	22	19	21	26	28	30	22	25	24	27	26	26	27
Adequate	%	30	29	37	31	30	36	25	39	35	38	39	44	34
Less than Adequate	%	12	21	8	19	16	7	18	8	15	11	12	8	15
Inadequate	%	12	12	4	8	10	6	19	11	11	9	9	11	11

### Survey of Jurors

There were 61 respondents for Judge Lindberg.

	%	1	2	3	4	5	6	7	8	9
Yes	%	100	100	100	100	98	100	100	100	100
No	%	0	0	0	0	2	0	0	0	0

# THIRD JUDICIAL DISTRICT



**Judge Paul G. Maughan**  
 District Court  
 Third Judicial District  
 (Salt Lake, Summit,  
 Tooele)

JUDGE PAUL G. MAUGHAN OF THE THIRD JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Paul G. Maughan was appointed to the Third District Court by Governor Michael O. Leavitt in December 1998. He serves Salt Lake, Summit, and Tooele counties. Judge Maughan is a member and past chair of the Board of District Court Judges, and is the Associate Presiding Judge of the Third District Court. He serves on the Utah Supreme Court's Advisory Committee on the Code of Professional Responsibility, the State of Utah Sentencing Commission, and is a member of the A. Sherman Christensen Inn of Court. At the time of his appointment to the bench, Judge Maughan was a deputy district attorney for Salt Lake County assigned to the civil division. He is a former Chair of the State's Career Service Review Board, was an associate in the law firm of Bradley, Arrowsmith & Jackson, and is a former assistant city attorney for Salt Lake City. He graduated from the University of Utah College of Law in 1974. Judge Maughan has served on the Courts and Judges Committee and the Alternative Dispute Resolution Committee of the Utah State Bar, and as a member of the Executive Committee of the Bar's Litigation Section.

Judge Maughan's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

**Survey of Attorneys**

There were 115 respondents for Judge Maughan.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	87	84	95	86	82	88	83	97	88	85	97	89	87
Excellent	%	33	32	37	28	27	31	26	30	29	26	31	29	27
More than Adequate	%	34	31	32	26	30	30	36	35	32	26	32	28	30
Adequate	%	20	21	27	32	25	27	21	32	27	32	34	31	30
Less than Adequate	%	8	8	4	6	9	9	9	1	6	11	3	7	6
Inadequate	%	5	8	1	8	9	4	9	3	6	4	0	5	7

**Survey of Jurors** There were 59 respondents for Judge Maughan.

Yes	%	100	100	100	100	100	100	100	100
No	%	0	0	0	0	0	0	0	0

# THIRD JUDICIAL DISTRICT



**Judge  
Tyrone E. Medley**  
District Court  
Third Judicial District  
(Salt Lake, Summit,  
Tooele)

JUDGE TYRONE E. MEDLEY OF THE THIRD JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Tyrone E. Medley was appointed to the Third District Court in 1992 by Governor Norman H. Bangerter and to the Third Circuit Court in 1984 by Governor Scott M. Matheson. He serves Salt Lake, Summit and Tooele Counties. He received his law degree from the University of Utah College of Law in 1977. Judge Medley was a Research Attorney for the Third District Court and a Deputy Attorney for Salt Lake County. He was an associate with the firm of Coto-Manes, Warr, Green & Shand. He is a former member of the Utah Supreme Court Advisory Committee on Criminal Procedure, Board of District Court Judges, the Utah Sentencing Commission and Co-Chair of the Task Force on Race and Ethnic Fairness. He served on the Crimson Club Board of Directors and the Salt Lake Boys and Girls Club Board. He is a Fellow of the American Bar Association and a member of the Intermountain Urban Central Region Board of Trustees. He received the NAACP Albert B. Fritz Award (1996), the Utah State Bar Judge of the Year Award (1998) and the Utah State Bar Raymond S. Uno Award (2000). He was inducted into the Crimson Club Hall of Fame (2000).

Judge Medley's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

### Survey of Attorneys

There were 112 respondents for Judge Medley.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	96	91	100	92	90	96	96	99	93	94	94	95	95
Excellent	%	48	47	53	46	42	45	49	50	50	42	42	39	46
More than Adequate	%	30	27	29	30	29	36	22	31	23	29	29	36	27
Adequate	%	18	17	19	16	20	16	24	18	20	23	22	20	21
Less than Adequate	%	4	5	0	5	6	3	4	1	5	5	4	5	4
Inadequate	%	1	4	0	3	4	2	1	0	2	2	3	0	2

### Survey of Jurors

There were 24 respondents for Judge Medley.

Question	%	1	2	3	4	5	6	7	8
Yes	%	100	100	100	100	100	100	100	100
No	%	0	0	0	0	0	0	0	0

# THIRD JUDICIAL DISTRICT



**Judge  
Robin W. Reese**  
District Court  
Third Judicial District  
(Salt Lake, Summit,  
Tooele)

JUDGE ROBIN W. REESE OF THE THIRD JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Robin W. Reese was appointed to the Third Circuit Court in March 1987 by Gov. Norman H. Bangerter. He became a judge in Third District Court in July 1996, and serves Salt Lake, Summit, and Tooele counties. Judge Reese received a law degree from the University of Utah College of Law in 1980. He was an attorney in the law firm of Tibbals, Adamson, Peters & Howell from 1980 to 1981, and a Deputy Salt Lake County Attorney from 1981 until his appointment to the bench. Judge Reese served as a member of the Supreme Court Advisory Committee on the Rules of Criminal Procedure, as presiding judge of the Third Circuit Court from 1992 to 1995, and as associate presiding judge of the Third District Court from 1995 to 2001. He also served on the Utah State Bar's Courts and Judges Committee, as a member of the Court Technology Subcommittee, and on the Utah Commission on Justice in the 21st Century.

Judge Reese's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

There were 119 respondents for Judge Reese.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	100	98	100	99	97	97	98	98	97	96	98	98	98
Excellent	%	55	54	54	43	44	51	55	50	53	44	49	47	51
More than Adequate	%	30	29	31	33	31	26	29	29	29	32	32	30	30
Adequate	%	15	15	15	24	22	20	14	19	15	19	18	21	16
Less than Adequate	%	0	2	0	0	2	3	1	2	2	2	2	2	3
Inadequate	%	0	1	0	1	2	1	1	0	1	3	0	0	0

Survey of Jurors There were 113 respondents for Judge Reese.

Question	%	1	2	3	4	5	6	7	8	9	10	11	12	13
Yes	%	100	100	100	100	100	98	100	100					
No	%	0	0	0	0	0	2	0	0					



**Judge  
Andrew A. Valdez**  
Juvenile Court  
Third Judicial District  
(Salt Lake, Summit, Tooele)

JUDGE ANDREW A. VALDEZ OF THE JUVENILE COURT FOR THE THIRD JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Andrew A. Valdez is a judge in the Third District Juvenile Court in Salt Lake City, Utah. Prior to his appointment to the bench in 1993, Judge Valdez was a commissioned captain in the US Army J.A.G. Corps, and a trial counsel with the Legal Defenders Association Felony and Homicide Division. Judge Valdez has served as chair of the statewide Youth Parole Authority, and on the Utah Sentencing Commission, the Board of Trustees for Primary Children's Medical Center, the Juvenile Justice Task Force, the Board of Juvenile Court Judges, and the Judicial Council. He is currently a member of the National Youth Gang Center and was honored in 2003 with the Martin Luther King Civil Rights Award by the N.A.A.C.P. In 2005, Judge Valdez was awarded the Footprinter's Association Law Enforcement Office of the Year Award, the Utah Children Advocate of the Year Award, Utah State Bar Judge of the Year Award for 2005, Caesar Chavez Peace and Justice Award and the Pete Suzao Community Service Award. Judge Valdez is committed to helping troubled young people and has developed a court-based mentoring program, partnering with community educational schools. His nonfiction book, "No One Makes It Alone," is a true story based on his own life. A native of Utah, Judge Valdez is a graduate of the University of Utah College of Law.

Judge Valdez's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. Had fewer than the maximum allowable cases held under advisement.
3. At least 30 hours of continuing judicial education annually.
4. Mentally and physically fit for office.
5. In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys There were 75 respondents for Judge Valdez.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	72	68	78	85	81	81	65	89	69	86	94	87	76
Excellent	%	27	28	28	32	32	36	20	31	24	29	30	28	28
More than Adequate	%	19	20	24	24	29	23	17	32	29	23	31	25	24
Adequate	%	27	20	25	28	20	23	28	27	16	33	34	35	24
Less than Adequate	%	17	19	10	10	16	15	12	7	16	12	1	9	13
Inadequate	%	11	13	12	5	3	4	23	4	15	3	4	4	11

# FOURTH JUDICIAL DISTRICT



**Judge  
Lynn W. Davis**  
District Court  
Fourth Judicial District  
(Wasatch, Utah, Juab, Millard)

JUDGE LYNN W. DAVIS OF THE FOURTH JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Lynn W. Davis has served as a trial court judge for over 21 years. It has been a remarkable honor and an exceptional journey. Along the way he has received the Utah State Bar Judge of the Year Award, the Excellence in Public Service Award, the Utah State Bar Distinguished Service Award, the Freedom of Information Award, and was recently named a 2007 Honored Alumnus at BYU. He has served as Adjunct faculty at BYU Law School, and has published widely in prestigious law reviews and journals across the country. He, and his wife Lenore, have raised 5 children in Utah Valley.

Judge Davis's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

### Survey of Attorneys

There were 90 respondents for Judge Davis.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	86	81	87	94	91	98	90	98	94	92	94	94	90
Excellent	%	43	38	37	35	34	34	44	38	44	30	32	29	32
More than Adequate	%	26	23	32	36	33	44	31	44	37	34	34	45	42
Adequate	%	17	20	18	24	23	19	14	16	13	28	28	20	16
Less than Adequate	%	9	13	8	5	8	1	6	1	4	2	2	5	9
Inadequate	%	6	6	5	1	1	1	4	1	1	6	3	1	1

### Survey of Jurors

There were 80 respondents for Judge Davis.

Yes	%	100	100	100	100	100	100	100	100	100	100	100	100	100
No	%	0	0	0	0	0	0	0	0	0	0	0	0	0



**Judge  
Steven L. Hansen**  
District Court  
Fourth Judicial District  
(Wasatch, Utah, Juab, Millard)

JUDGE STEVEN L. HANSEN OF THE FOURTH JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Steven L. Hansen was appointed to the Fourth District Court in August 1993 by Gov. Michael O. Leavitt. He serves Juab, Millard, Utah, and Wasatch counties. He received a law degree from the Cumberland School of Law at Samford University in 1976. He was a law clerk at the Utah Supreme Court in 1976, after which he went into private law practice. He was Wasatch County Attorney from 1986 until his appointment to the bench. Judge Hansen served as presiding judge of the Fourth District Court from 1998 to 1999, on the Board of District Court Judges, and on the Judicial Performance Evaluation Committee. He currently serves on the Grand Jury panel for the State of Utah and as judge for Wasatch County Drug Court and Utah County Mental Health Court.

Judge Hansen's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

### Survey of Attorneys

There were 101 respondents for Judge Hansen.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	98	98	100	94	90	91	94	98	92	91	95	96	93
Excellent	%	55	55	46	44	44	48	57	54	49	33	35	39	47
More than Adequate	%	33	30	39	30	29	29	25	31	34	40	40	38	34
Adequate	%	11	14	15	20	17	15	12	13	10	18	20	19	13
Less than Adequate	%	2	2	0	5	9	2	4	2	6	6	4	4	7
Inadequate	%	0	0	0	1	1	7	2	0	2	3	1	0	0

### Survey of Jurors

There were 80 respondents for Judge Hansen.

Yes	%	100	100	100	99	98	100	100	100	100	100	100	100	100
No	%	0	0	0	1	1	2	0	0	0	0	0	0	0

# FOURTH JUDICIAL DISTRICT



**Judge  
Kay A. Lindsay**  
Juvenile Court  
Fourth Judicial District  
(Wasatch, Utah, Juab, Millard)

JUDGE KAY A. LINDSAY OF THE JUVENILE COURT FOR THE FOURTH JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Kay A. Lindsay was appointed to the Fourth District Juvenile Court in December 1992, by Gov. Norman H. Bangerter. She serves Juab, Millard, Utah and Wasatch counties. Judge Lindsay also served on the Eighth District Juvenile Court bench until 1996, serving Daggett, Duchesne, and Uintah counties. She received a law degree from the University of Utah College of Law in 1967. Prior to her appointment to the bench, Judge Lindsay served in the following positions: Assistant County Attorney, Guardian ad Litem for the Fourth District Juvenile Court, and Associate in the Provo law firm of Taylor, Moody and Thorne. Judge Lindsay has served as the chair of the Board of Juvenile Court Judges, as a member of the Judicial Council, and as the presiding judge of Fourth District Juvenile Court. She is currently serving as a member of the Initiative on Utah Children in Foster Care and as a member of the Kinship Sub-Committee of that Initiative. Judge Lindsay serves as Chair of the Court Improvement Project, as well as Chair of the State Table of Six. She serves on local steering committees dealing with juvenile drug court, family drug court, truancy, delinquency and child welfare issues.

Judge Lindsay's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. Had fewer than the maximum allowable cases held under advisement.
3. At least 30 hours of continuing judicial education annually.
4. Mentally and physically fit for office.
5. In substantial compliance with the Code of Judicial Conduct.

**Survey of Attorneys**

There were 34 respondents for Judge Lindsay.

Question (see page 50)	%	1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	91	88	84	91	91	91	88	94	82	91	100	97	91
Excellent	%	47	44	42	30	35	38	44	35	35	41	36	36	41
More than Adequate	%	35	24	29	36	29	41	32	38	29	25	42	36	29
Adequate	%	9	21	13	24	27	12	12	21	18	25	21	24	21
Less than Adequate	%	6	6	3	6	6	9	9	3	18	9	0	3	6
Inadequate	%	3	6	13	3	3	0	3	3	0	0	0	0	3



**Judge  
Samuel D. McVey**  
District Court  
Fourth Judicial District  
(Wasatch, Utah, Juab, Millard)

JUDGE SAMUEL D. McVEY OF THE FOURTH JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Samuel McVey was appointed to the Fourth District Court in 2004 by Governor Olene Walker. He serves Juab, Millard, Utah and Wasatch counties hearing civil and criminal cases and is a Tax Court judge. He graduated "With Distinction" from the United States Naval Academy and Naval War College and received his law degree magna cum laude from Brigham Young University where he was law review note and comment editor and Order of the Coif. Judge McVey was admitted to practice law in Utah, California, the U.S. Supreme Court and the Court of Appeals of the Armed Forces. He is currently Associate Presiding Judge and chair of the Utah Courts' Judicial Outreach Committee and CORIS Group, Technology Committee. He was a partner with the Kirton McConkie law firm and past chair of the Energy, Natural Resources and Environmental Law Section, Utah State Bar, receiving that Section's Distinguished Service Award. Judge McVey is a retired Marine Colonel and was the American Bar Association Outstanding Young Military Lawyer in 1987. He has been a scoutmaster for many years and is a Silver Beaver recipient. He and his wife Connie married in 1977 and have nine children.

Judge McVey's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

**Survey of Attorneys**

There were 74 respondents for Judge McVey.

Question (see page 50)	%	1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	96	88	100	93	93	99	97	99	97	96	100	99	97
Excellent	%	48	40	50	35	39	39	44	45	41	30	33	30	39
More than Adequate	%	34	34	37	39	31	42	40	42	42	43	45	49	38
Adequate	%	16	14	13	19	23	18	14	12	15	23	22	20	20
Less than Adequate	%	3	11	0	4	4	0	1	1	3	1	0	1	0
Inadequate	%	1	1	0	3	2	1	1	0	0	3	0	0	3

**Survey of Jurors**

There were 88 respondents for Judge McVey.

Yes	%	100	100	100	100	100	100	100	100
No	%	0	0	0	0	0	0	0	0

# FOURTH/FIFTH JUDICIAL DISTRICT



**Judge James R. Taylor**  
District Court  
Fourth Judicial District  
(Wasatch, Utah, Juab, Millard)

JUDGE JAMES R. TAYLOR OF THE FOURTH JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge James R. Taylor was appointed to the Fourth District Court in February 1999 by Gov. Michael O. Leavitt. He serves Juab, Millard, Utah and Wasatch counties. Judge Taylor presides over the adult Drug Court in Utah County. He is an adjunct professor at Utah Valley State College and was named Adjunct Professor of the Year for the college's School of Business in 2006. Judge Taylor is president of the A. Sherman Christensen American Inn of Court I. He was the presiding judge for the Fourth District Court July 2004 through July 2006. Judge Taylor was a Joseph Fielding Smith Scholar at Brigham Young University in 1973. He received a law degree from the University of Utah College of Law in 1980 and was the Spanish Fork City Attorney from 1982 until 1987. At the time of his appointment to the bench, Judge Taylor was the interim division chief of the Criminal Division of the Utah County Attorney's Office. Judge Taylor previously served on the Utah State Children's Justice Advisory Board as a prosecution member, vice-chairman, and as a judicial representative after his appointment to the bench.

Judge Taylor's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

**Survey of Attorneys**

There were 107 respondents for Judge Taylor.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	90	85	100	93	90	94	76	98	85	90	97	93	86
Excellent	%	36	33	42	41	36	36	29	44	28	30	28	29	32
More than Adequate	%	25	25	30	30	34	35	19	30	25	34	38	36	31
Adequate	%	29	27	29	23	20	23	28	24	32	26	32	28	23
Less than Adequate	%	7	8	0	4	6	5	20	2	9	6	1	5	9
Inadequate	%	4	7	0	3	5	1	5	0	6	5	2	2	5

**Survey of Jurors** There were 78 respondents for Judge Taylor.

Yes	%	100	100	100	100	100	99	100	100
No	%	0	0	0	0	0	1	0	0



**Judge John L. Walton**  
District Court  
Fifth Judicial District  
(Beaver, Iron, Washington)

JUDGE JOHN L. WALTON OF THE FIFTH JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge John J. Walton was appointed to the Fifth District Court in November 2005 by Gov. Jon M. Huntsman, Jr. He serves Beaver, Iron, and Washington counties. Judge Walton graduated from Utah State University in 1990 and the J. Reuben Clark Law School at Brigham Young University in 1993. Prior to his appointment to the bench, Judge Walton served as a Deputy Washington County Attorney. Before this, he was an associate and shareholder with Jones Waldo Holbrook & McDonough. Judge Walton was appointed a Special Assistant United States Attorney in 2005. He is a member of the Scott M. Matheson American Inn of Court and the Southern Utah Bar Association.

Judge Walton's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

**Survey of Attorneys**

There were 49 respondents for Judge Walton.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	98	98	100	100	98	100	100	100	100	97	95	100	100
Excellent	%	79	69	71	54	60	65	69	53	60	50	49	50	65
More than Adequate	%	19	27	24	27	30	25	27	38	35	42	37	45	25
Adequate	%	0	2	5	19	9	10	4	9	4	5	10	5	10
Less than Adequate	%	2	2	0	0	2	0	0	0	0	3	2	0	0
Inadequate	%	0	0	0	0	0	0	0	0	0	0	2	0	0

**Survey of Jurors** There were 6 respondents for Judge Walton.

Yes	%	100	100	100	100	100	100	100	100
No	%	0	0	0	0	0	0	0	0

# SIXTH/SEVENTH JUDICIAL DISTRICT



**Judge  
Wallace A. Lee**  
District Court  
Sixth Judicial District  
(Sanpete, Sevier, Piute,  
Wayne, Garfield, Kane)

JUDGE WALLACE A. LEE OF THE SIXTH JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Wallace A. Lee was appointed to the Sixth District Court in October 2005 by Gov. Jon M. Huntsman, Jr. He serves Garfield, Kane, Piute, Sanpete, Sevier, and Wayne counties. Judge Lee received his law degree from the J. Reuben Clark Law School at Brigham Young University in 1988. Prior to taking the bench, he was in private law practice and served as Garfield county attorney. Judge Lee is a member of the Utah State Bar, Southern Utah Bar, the U.S. District Court, Utah, and the Tenth Circuit Court of Appeals. He has served as a board member of the Utah Prosecution Council and the Statewide Association of Public Attorneys. He currently serves as a member of the Standing Committee on Judicial Branch Education and the District Court Curriculum Committee. In addition, Judge Lee is chairman of the board of the Bryce Canyon Natural History Association.

Judge Lee's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

**Survey of Attorneys**

There were 55 respondents for Judge Lee.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	96	96	98	93	95	98	98	100	100	92	100	96	93
Excellent	%	67	63	67	35	38	49	71	51	62	36	45	40	49
More than Adequate	%	24	23	20	35	40	32	18	38	26	34	32	29	36
Adequate	%	6	11	11	22	16	17	9	11	13	21	23	27	7
Less than Adequate	%	4	4	2	4	2	2	2	0	0	4	0	2	6
Inadequate	%	0	0	0	4	4	0	0	0	0	4	0	2	2

**Survey of Jurors** There were 52 respondents for Judge Lee.

Yes	%	100	100	100	100	100	98	100	100
No	%	0	0	0	0	0	2	0	0



**Judge  
Lyle R. Anderson**  
District Court  
Seventh Judicial District  
(Carbon, Emery, Grand,  
San Juan)

JUDGE LYLE R. ANDERSON OF THE SEVENTH JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Lyle R. Anderson was appointed to the Seventh District Court in December 1992 by Gov. Norman H. Bangert. He serves Carbon, Emery, Grand, and San Juan counties. He received a law degree from the University of Chicago Law School in 1982 with honors and Order of the Coif. Prior to his appointment to the bench, Judge Anderson was affiliated with the firm of Anderson & Anderson from 1982 to 1992, and was Grand County attorney from 1991 to 1992. Judge Anderson was elected to the Utah House of Representatives in 1992. He has served on the Utah Judicial Council and currently serves on the Utah Supreme Court's Advisory Committee on Rules of Civil Procedure. Judge Anderson has been presiding Judge of the Seventh District Court from 1997 to 2001 and from 2005 to the present.

Judge Anderson's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

**Survey of Attorneys**

There were 49 respondents for Judge Anderson.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	63	66	85	84	82	84	66	98	70	77	89	89	76
Excellent	%	37	32	46	37	42	39	24	51	34	43	45	36	33
More than Adequate	%	10	15	21	33	22	27	28	23	12	11	23	23	22
Adequate	%	16	19	18	14	18	14	14	23	24	23	21	30	20
Less than Adequate	%	22	17	15	6	10	10	16	0	10	13	9	7	8
Inadequate	%	14	17	0	10	8	6	18	2	20	11	2	5	16

**Survey of Jurors** There were 101 respondents for Judge Anderson.

Yes	%	100	100	100	100	100	99	99	100
No	%	0	0	0	0	0	1	1	0



## SEVENTH JUDICIAL DISTRICT



**Judge  
Scott N. Johansen**  
Juvenile Court  
Seventh Judicial District  
(Carbon, Emery, Grand,  
San Juan)

JUDGE SCOTT N. JOHANSEN OF THE JUVENILE COURT FOR THE SEVENTH JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Scott N. Johansen was appointed to the Seventh District Juvenile Court in January 1992 by Gov. Norman H. Bangerter after serving as Emery County attorney since 1979. He serves Carbon, Emery, Grand, and San Juan counties. He received a law degree from the J. Reuben Clark College of Law at Brigham Young University in 1977 and practiced with the Price law firm of Frandsen, Keller & Jensen from 1977 to 1979. He served as city attorney for several cities and towns in Carbon, Emery and Sanpete counties and is a former president of the Utah Association of Counties. Judge Johansen is a past chair of the Board of Juvenile Court Judges, past chair of the Judicial Council's Policy and Planning Committee, past member of the Sentencing Commission, and the Judicial Council. He is currently a member of the Board of Juvenile Court Judges.

Judge Johansen's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. Had fewer than the maximum allowable cases held under advisement.
3. At least 30 hours of continuing judicial education annually.
4. Mentally and physically fit for office.
5. In substantial compliance with the Code of Judicial Conduct.

### Survey of Attorneys

There were 29 respondents for Judge Johansen.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	76	68	84	100	100	100	79	100	79	97	100	96	86
Excellent	%	48	46	48	72	69	62	45	76	48	55	59	52	45
More than Adequate	%	21	14	20	17	21	17	14	7	21	28	31	26	24
Adequate	%	7	7	16	10	10	21	21	17	10	14	10	19	17
Less than Adequate	%	14	14	4	0	0	0	7	0	7	0	0	4	10
Inadequate	%	10	18	12	0	0	0	14	0	14	3	0	0	3



**Judge  
Mary L. Manley**  
District Court  
Seventh Judicial District  
(Carbon, Emery, Grand,  
San Juan)

JUDGE MARY L. MANLEY OF THE JUVENILE COURT FOR THE SEVENTH JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

Judge Mary L. Manley was appointed to the Seventh District Juvenile Court in November 1999 by Gov. Michael O. Leavitt. She serves Carbon, Emery, Grand, and San Juan counties. Judge Manley received a law degree from the University of Idaho in 1988. At the time of her appointment to the bench, Judge Manley was Chief Deputy County Attorney in the Emery County Attorney's Office. She was Deputy County Attorney in the Washington County Attorney's Office from 1991 to 1994, and Deputy City Attorney in the St. George City Attorney's Office from 1992 to 1994. Judge Manley has served as a child abuse team member in St. George, and a founding member of the Domestic Violence Coalition in Emery. Judge Manley has implemented and presides over a family drug court, a juvenile drug and felony drug court in Grand County. She served on the Board of Juvenile Court Judges from 2004-2007.

Judge Manley's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. Had fewer than the maximum allowable cases held under advisement.
3. At least 30 hours of continuing judicial education annually.
4. Mentally and physically fit for office.
5. In substantial compliance with the Code of Judicial Conduct.

### Survey of Attorneys

There were 29 respondents for Judge Manley.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	86	79	85	100	97	100	83	97	83	90	97	93	83
Excellent	%	48	36	41	41	59	55	52	48	45	52	59	54	45
More than Adequate	%	17	21	33	31	21	35	24	38	21	21	28	18	24
Adequate	%	21	21	11	28	17	10	7	10	17	17	10	21	14
Less than Adequate	%	14	21	11	0	3	0	14	3	14	10	3	7	17
Inadequate	%	0	0	4	0	0	0	3	0	3	0	0	0	0

# EIGHTH JUDICIAL DISTRICT



**Judge**  
**John R. Anderson**  
 District Court  
 Eighth Judicial District  
 (Daggett, Duchesne, Uintah)

Judge John R. Anderson was appointed to the Eighth District Court in August 1992 by Gov. Norman H. Bangerter. He serves Daggett, Duchesne and Uintah counties. Judge Anderson received his law degree in 1966 from the University of Utah College of Law. He was with the firm of Beaslin, Nygaard, Coke & Vincent when practicing law in Salt Lake City. Judge Anderson practiced law in Vernal with the law firm of Beaslin & Anderson from 1980 until his appointment to the bench. He served as a Vernal City Councilman from 1988 to 1991 and served on the Board of District Court Judges from 1997 to 2000. Judge Anderson served as a member of the Judicial Ethics Committee. Judge Anderson is currently serving as a member of the Law Clerk Study Committee.

Judge Anderson's compliance with performance standards is as follows:

1. A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
2. There were no juror surveys for Judge Anderson conducted during this evaluation cycle.
3. Had fewer than the maximum allowable cases held under advisement.
4. At least 30 hours of continuing judicial education annually.
5. Mentally and physically fit for office.
6. In substantial compliance with the Code of Judicial Conduct.

JUDGE JOHN R. ANDERSON OF THE EIGHTH JUDICIAL DISTRICT HAS BEEN CERTIFIED BY THE UTAH JUDICIAL COUNCIL FOR RETENTION IN THE 2008 GENERAL ELECTION

**Survey of Attorneys**

There were 70 respondents for Judge Anderson.

Question (see page 50)		1	2	3	4	5	6	7	8	9	10	11	12	13
Total Favorable	%	93	86	92	93	89	89	93	99	86	83	90	91	87
Excellent	%	47	39	49	32	34	37	42	48	45	35	36	33	41
More than Adequate	%	25	30	25	29	31	31	35	31	27	25	33	30	29
Adequate	%	21	17	18	32	24	21	16	20	14	23	21	28	17
Less than Adequate	%	4	9	8	6	9	10	6	1	11	9	6	6	10
Inadequate	%	3	6	0	1	3	1	1	0	3	8	5	3	3

**D.**

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**INSTRUCTIONS TO VOTERS**

# INSTRUCTIONS TO VOTERS

## How to obtain a ballot for voting

1. Give your name and address to an election judge. You may also be required to show proof of identification or proof of residency.

2. If your name is on the official register and your right to vote has not been challenged, the election judge will give you one or more ballots. **NOTE:** If an election judge has reason to doubt your identity, the judge is required to request identification from you that establishes your identity and residence

## Learn how to use the electronic voting machine.

These step-by-step instructions will guide you through the voting process. For an electronic demonstration, please visit the website [www.LeaveYourPrint.com](http://www.LeaveYourPrint.com).

### 1. START



Insert voter access card. Push firmly until card clicks. Do not remove card until finished voting.

### 2. READ "INSTRUCTIONS" SCREEN



If needed, touch "Large Text" or "High Contrast" to improve readability. Touch "Next" to continue.

### 3. VOTE FOR CANDIDATES/ISSUES



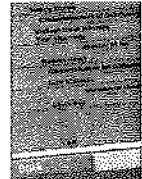
Touch the box next to your selection. An "X" will appear. To change or cancel your selection, touch the box again. The "X" will disappear. Touch "Next" to see the next page of the ballot or "Back" to see a previous page.

### 4. RECORD "WRITE-INS" (OPTIONAL)



Touching the box next to "Write-In" makes a keyboard appear. Type the name you wish to write-in. Touch "Record Write-In" to return to the ballot.

### 5. REVIEW YOUR BALLOT



A summary page will appear at the end of the ballot. Selections left blank or incomplete will be highlighted. Touch any selection to return to that page in the ballot and make changes.

### 6. PRINT YOUR BALLOT



Touch "Print Ballot." Your ballot will print to the right of your screen for verification. To make changes, touch "Reject Ballot." Remember, any changes must be made before touching "Cast Ballot."

### 7. CAST YOUR BALLOT



Touch "Cast Ballot." The printed ballot will scroll to hide your selections. No changes can be made after touching "Cast Ballot."

### 8. REMOVE YOUR CARD



Return the card to a poll worker.

## Voting for candidates of one party

If you want to cast a "straight party" vote for all the candidates of one party, touch the box next to that party on the first page of the ballot. The box next to that party's candidates will be automatically marked on the other pages of the ballot.

You may change your vote in a particular race to the candidate from another party or to a write-in candidate. To make the change, first touch the box next to the "straight party" candidate. The X will disappear. Then, touch the box next to the candidate for whom you wish to vote. An X will appear in the box.

If you did not cast a "straight party" vote on the first page of the ballot, you will see the "straight party" selection highlighted on the summary page. If you return to this selection and mark a party, your previously marked votes will not change. However, in any partisan races where you have not already marked a candidate, the candidate of the party you chose will be automatically marked.

## Constitutional Amendments/Propositions

Constitutional amendments and propositions appear on the ballot in the form of a question. A vote "FOR" an amendment or proposition means that you want to answer "yes" to the question. A vote "AGAINST" an amendment or proposition means that you want to answer "no" to the question. To vote on constitutional amendments and/or propositions, read the ballot title provided on the ballot, decide whether you are "FOR" or "AGAINST" the amendment or proposition, and fill in the oval for the appropriate response.

## Help marking your ballot

The voting machines have several features to help voters who are blind or visually impaired. These features include large text, high contrast display, and audio recordings. However, voters may still ask someone of their choice to help mark their ballots. The person helping must not be a candidate, the voter's employer, an agent of the voter's employer, or an officer or agent of the voter's union. The person helping cannot in any way request, persuade, or induce the voter to vote for or against any particular candidate or issue.

# INSTRUCTIONS TO VOTERS

## SAN JUAN COUNTY

### How to obtain a ballot for voting

1. Give your name and address to an election judge. You may also be required to show proof of identification or proof of residency.

2. If your name is on the official register and your right to vote has not been challenged, the election judge will give you one or more ballots. **NOTE:** If an election judge has reason to doubt your identity, the judge is required to request identification from you that establishes your identity and residence.

### How to mark your ballot

Mark your ballot only with the marker provided by the election judge. If you use any other type of pen or pencil, your vote may not be counted by the optical scanner.

Completely fill in the oval next to the party or candidate of your choice. If an oval is not completely filled in, your vote may not be counted by the optical scanner.

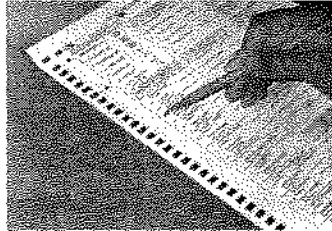
Ballots may be printed on both the front and back. Do not forget to vote on issues that are listed on the reverse side of the ballot.

**DO NOT** vote on a ballot that has been previously marked, spoiled or defaced. Identification marks or a spoiled or defaced ballot will make your vote invalid. If you make a mistake, do not attempt to erase a mark. Instead, return your ballot to the election judge who will cancel the ballot and issue you a new ballot.

### Voting for candidates of one party

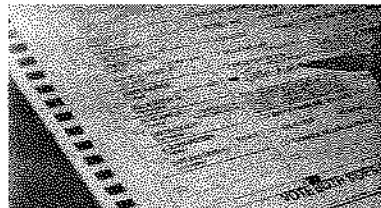
If you want to cast a "straight party" vote for all the candidates of one party, fill in the oval next to the party symbol at the top of the list of that party's candidates. You may

also fill in the ovals next to each candidate's name, but this is not necessary if you filled in the oval next to the party symbol.



### Voting for candidates of more than one party

If you want to vote for candidates from more than one party, fill in the oval by the names of the candidates for whom you want to vote. If you have already voted "straight party" and then decide to vote for a candidate from another party, simply mark the oval next to the other candidate(s) of your choice. The optical scanner will interpret a "straight party" vote as a vote for all candidates of that party except where you filled in an oval for candidate(s) of a different party.



### Write-in voting

You may also vote for a valid write-in candidate. Do this by legibly writing the name of the write-in candidate in the space provided on the ballot or by placing in that space a sticker containing the office and write-in candidate's name. You must also fill in the oval next to the write-in candidate's name. Non-partisan candidates Judicial, State School Board, Local School Board, and similar offices are non-partisan contests. They are located either

in the right column or on the reverse side of the ballot. The ballot contains instructions designating the number of candidates that should be voted for each office.

### Constitutional Amendments /Propositions

Constitutional amendments and initiatives appear on the ballot in the form of a question.



A vote "FOR" an amendment or proposition means that you want to answer "yes" to the question. A vote "AGAINST" an amendment or proposition means that you want to answer "no" to the question. To vote on constitutional amendments and/or propositions, read the ballot title provided on the ballot, decide whether you are "FOR" or "AGAINST" the amendment or proposition, and fill in the oval for the appropriate response.

### Help marking your ballot

Voters who are blind, have a disability, or are unable to read or write English, may be helped by someone of their choice. The person helping must not be a candidate, the voter's employer, an agent of the voter's employer, nor an officer or agent of the voter's union. The person helping cannot in any way request, persuade, or induce the voter to vote for or against any particular candidate or issues.

## GENERAL INFORMATION

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### How do I register to vote?

- **Online:** Download and print a Utah Voter Registration Form ([www.elections.utah.gov](http://www.elections.utah.gov)). Once completed, mail the form to your county clerk's office. If possible, include a photocopy of your driver's license or another form of picture identification with the registration form, otherwise you will be required to present a form of identification at the polls which establishes your identity and residency.
- **Phone Book:** There is also a voter registration form in The White Pages (located at the end of the blue section). This form can be photocopied. Once completed, it should be mailed to your county clerk's office. If possible, include a photocopy of your driver's license or another form of picture identification with the registration form, otherwise you will be required to present identification at that polls which establishes your identity and residency.
- **Drivers License & State Agency Offices:** Registration forms are also available at State Agency Offices, including the Division of Driver Licenses, Division of Workforce Services, Utah State Department of Health, Women, Infant and Children (WIC) Offices, the Division of Services for People with Disabilities, the Department of Rehabilitation, and public colleges and universities.

### When do I register to vote?

- **Postmark Deadline:** Voter registration forms must be postmarked before October 6, 2008. To verify the status of your voter registration, please contact your county clerk's office.
- **Walk-in Registration:** If an individual misses the postmark deadline, they can walk in their application up to 15 days before general election, October 20, 2008. The application must be turned into the county clerk's office. Walk-in registration individuals are not eligible to vote early after October 6<sup>th</sup>.

### If Registered

Voter registration is valid for life, unless you move, change your name, or wish to affiliate with a different party. To change your voter registration status for any of the mentioned reasons, simply fill out a new voter registration form.

### What are the requirements?

- **Age:** At least 18 years-old on or before the next election.
  - **Citizenship:** A citizen of the United States.
- Residency:** A resident of Utah for at least 30 days before the election. An applicant is considered a resident of Utah if he or she has his principal place of residence within Utah and intends to continue to reside within Utah indefinitely.

### Where do I vote?

For polling locations contact your county clerk's office (page 87) or go to [www.LeaveYourPrint.com](http://www.LeaveYourPrint.com). Early voting locations are located on pages 79-85.

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## EMPLOYEE'S RIGHT TO TIME OFF FOR ELECTION

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NOTE: This section does not apply to an employee who has three or more hours between the time polls open and close during which the employee is not employed on the job.

Each employer shall allow any voter to be absent from service or employment on election day for not more than two hours between the time the polls open and close.

Remember:

- The voter shall apply for a leave of absence before election day.
- The employer may specify the hours during which the employee may be absent.
- If the employee requests the leave of absence at the beginning or end of the work shift, the employer shall grant that request.
- The employer may not deduct from an employee's usual salary or wages because of the absence.

## PROVISIONAL BALLOT

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Provisional voting was mandated under the Help America Vote Act of 2002 (HAVA) to ensure that every eligible voter who is registered or who believes they are registered can cast a ballot in federal elections with the knowledge that a fair process will be followed to determine if the provisional ballot is eligible to be counted.

Voters previously registered in Utah who have moved within Utah, but have not reregistered at their new address, are allowed to vote at their new polling location. Provisional ballots also allow people who register through a Driver's License Agency or other public agency and whose name does not appear on the Official Register (for whatever reason) to vote at their new polling location.

Remember, a provisional ballot could be used if the voter's name is not found on the Official Register, if the poll worker is not satisfied that the voter has provided valid voter identification, if the voter does not have residence in the

voting precinct, or under any other circumstance described in the Utah code 20A-3-202.

All provisional voters will be asked for photo identification AND for proof of current residence at the polling place. This information allows us to ensure that provisional voters were in fact previously registered to vote and to ensure that people are voting in their correct precinct. If both conditions are met, the vote will be counted. If either condition is not met, the vote will not be counted.

You can find the status of your provisional ballot directly on our website <http://elections.utah.gov> or by contacting your county clerk's office. You will need the unique identification number (six digit) printed on the detachable stub of the provisional ballot. You can call the Lieutenant Governor's office at 801-538-1041 or 1-800-995-VOTE and we will provide you with the status of your provisional ballot. Please allow for 10-14 days after each election for this information to be available.

## EARLY VOTING

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Any person who is registered to vote may vote before the election date as permitted by Utah Code 20A-3-601. In order to be eligible to participate in early voting, voters must be registered to vote at least **30 days** prior to the election, October 6, 2008.

In order to vote during early voting, voters must present valid voter identification. This is either a form of identification that bears the name and photograph of the voter or two forms of identification that bear the name of the voter and provide evidence of voter's residence.

The early voting period will begin on October 21 and will continue through October 31. The polls will be open for a minimum of four hours during each early voting day and will close at 5 p.m. on October 31. Every registered voter who arrives at the polls before the time scheduled for closing of the polls will be allowed to vote. Please view pages 79-85 for details on times, days, and locations or go to [www.LeaveYourPrint.com](http://www.LeaveYourPrint.com).

## ABSENTEE VOTING

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### Voting by Absentee

Any person who is registered to vote may vote by absentee ballot.

### Obtaining an absentee ballot

You may vote absentee by mail or in-person in the county clerk's office. This form is also available online at [www.LeaveYourPrint.com](http://www.LeaveYourPrint.com). All completed forms should be mailed to the following offices:

- Regular general and primary elections (held in even-numbered years). This application must be filed by mail or in-person in the office of the voter's county clerk.
- Municipal elections (held in odd-numbered years). This application should be filed by mail or in-person in the office of the voter's city clerk or recorder.

### Deadline for applying for an absentee ballot

- For regular absentee voting, the ballot application must be received no later than the Friday before the election, October 31, 2008.
- For overseas voters the clerk should receive the application no later than 20 days before the election, October 14, 2008.

Individuals using an absentee ballot in the office of their clerk or recorder, must apply for the ballot no later than the day before the election, November 3, 2008.

**NOTE:** The ballot is only valid if it is clearly postmarked before (not on) election day, and received in the county clerk's office before noon on the day of the official canvass.

### FOR MORE INFORMATION

- Visit <http://elections.utah.gov>
- Contact your county clerk (see page 87)
- Contact the Office of the Lieutenant Governor at (801)538-1041 or (800) 995-VOTE.

## EARLY VOTING LOCATIONS

Voters must be registered at least 30 days prior to the election, October 6, 2008, and present valid voter identification at the polling locations to be eligible to vote early.

County	Location	Date & Time
Beaver	Beaver County Clerk's office 105 East Center Beaver	Monday-Friday (starting Oct. 21-Oct. 31) 8:00 a.m. to 5:00 p.m.
	Minersville Town Hall 60 West Main, Minersville	Mon., Wed., Thurs. (starting Oct. 21-Oct. 31) During office hours
	Milford City Offices 26 South 100 West, Milford	Monday- Friday (starting Oct. 21-Oct. 31) 7:00 a.m-3:00 p.m.
Box Elder	Box Elder County Courthouse 01 South Main St. Brigham City	Monday-Friday (starting Oct. 21-Oct. 31) 8:00 a.m. to 5:00 p.m.
	Box Elder County Fairgrounds Museum Building 350 North 1000 West Tremonton	Oct. 27-30, 8:00 a.m. to 5:00 p.m. Oct. 31, 8:00 a.m to 12:00 p.m.
	Elwood Town Hall 5235 West 8800 North Elwood	Oct. 22, 8:00 a.m to 5:00 p.m.
	Perry City Offices 3005 South 1200 West Perry	Oct. 22, 8:00 a.m to 5:00 p.m.
	Deweyville Town Hall 8955 North, Highway 38 Deweyville	Oct. 23, 8:00 a.m to 12:00 p.m.
	Honeyville City Offices 2635 West 6980 North Honeyville	Oct. 23, 1:00 p.m. to 5:00 p.m.
	Garland City Offices 72 North Main Street Garland	Oct. 27, 9:00 a.m. to 5:00 p.m.
	Willard City Offices 80 West 50 South Willard	Oct. 28, 9:00 a.m. to 5:00 p.m.
	Bear River Civic Center 5695 North 4700 West Bear River City	Oct. 29, 9:00 a.m. to 5:00 p.m.
	Cache	Cache County Administration Bldg. 179 North, Room 109 Logan
Utah State University Taggart Student Center Juniper Lounge Logan		Monday-Thursday (starting Oct. 21-Oct. 30) 9:00 a.m. to 4:00 p.m.
Hyrum City Office 83 West Main Hyrum		Monday-Thursday (starting Oct. 21-Oct. 30) 9:00 a.m. to 4:00 p.m.

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## EARLY VOTING LOCATIONS (continued)

Cache (continued)	Smithfield Fire Station 325 West 100 North Smithfield	Monday-Thursday (starting Oct. 21-Oct. 30) 9:00 a.m. to 4:00 p.m.
Carbon	Carbon County Courthouse 120 East Main Street Price	Monday-Friday (starting Oct. 21-Oct. 31) 8:00 a.m. to 5:00 p.m.
Oaggett	Daggett County Courthouse 95 North 1st West Manila	Oct. 21-24 & 27-31 8:00 a.m. to 12:00 p.m. & 1:00 p.m. to 5:00 p.m. Oct. 23 until 7:00 p.m.
	Dutch John Conference Hall 530 South Blvd. Dutch John	Friday, Oct. 24 1:00 p.m. to 6:00 p.m.
Oavis	Bountiful Library 725 South Main, Bountiful	Tuesday, Oct. 21, 12:00pm - 4:00pm Wednesday, Oct. 22-23, 3:00pm -8:00pm Friday, Oct. 24, 7:00am - 11:00am Saturday, Oct. 25, 12:00pm - 4:00pm Monday, Oct. 27, 12:00pm - 4:00pm Tuesday, Oct. 28-30, 3:00pm - 8:00pm Friday, Oct. 31, 10:00am - 5:00pm
	Oavis County Courthouse 28 East State Street #107 Farmington	Tuesday, Oct. 21-24, 8:30 am - 4:30 pm Monday, Oct. 27-30, 8:30 am - 4:30 pm Friday, Oct. 31, 8:30 am - 5:00 pm
	Clearfield Library 562 South 1000 East Clearfield	Tuesday, Oct. 21, 12:00pm - 4:00pm Wednesday, Oct. 22-23, 3:00pm -8:00pm Friday, Oct. 24, 7:00am - 11:00am Saturday, Oct. 25, 12:00pm - 4:00pm Monday, Oct. 27, 12:00pm - 4:00pm Tuesday, Oct. 28-30, 3:00pm - 8:00pm Friday, Oct. 31, 10:00am - 5:00pm
	Centerville Library 45 South 400 West Centerville	Tuesday, Oct. 21, 12:00pm - 4:00pm Wednesday, Oct. 22-23, 3:00pm -8:00pm Friday, Oct. 24, 7:00am - 11:00am Saturday, Oct. 25, 12:00pm - 4:00pm Monday, Oct. 27, 12:00pm - 4:00pm Tuesday, Oct. 28-30, 3:00pm - 8:00pm Friday, Oct. 31, 10:00am - 5:00pm
	Layton Library 155 North Wasatch Dr. Layton	Tuesday, Oct. 21, 12:00pm - 4:00pm Wednesday, Oct. 22-23, 3:00pm -8:00pm Friday, Oct. 24, 7:00am - 11:00am Saturday, Oct. 25, 12:00pm - 4:00pm Monday, Oct. 27, 12:00pm - 4:00pm Tuesday, Oct. 28-30, 3:00pm - 8:00pm Friday, Oct. 31, 10:00am - 5:00pm
	Syracuse Community Center 1912 West 1900 South Syracuse	Tuesday, Oct. 21, 12:00pm - 4:00pm Wednesday, Oct. 22-23, 3:00pm -8:00pm Friday, Oct. 24, 7:00am - 11:00am Saturday, Oct. 25, 12:00pm - 4:00pm Monday, Oct. 27, 12:00pm - 4:00pm Tuesday, Oct. 28-30, 3:00pm - 8:00pm Friday, Oct. 31, 10:00am - 5:00pm

## EARLY VOTING LOCATIONS (continued)

Duchesne	734 North Center Duchesne	October 21-24& 27-31, 9:00 a.m. to 5:00 p.m.
Emery	Emery County Courthouse Clerk/Auditor's Office 75 East Main Castle Dale	October 21-31, weekdays 8:30 a.m. to 5:00 p.m.
Garfield	Garfield County Courthouse 55 South Main Street Panguitch	Monday – Friday, (starting Oct.21-Oct. 31) 9:00 a.m. to 5:00 p.m.
	Morgan County Courthouse 48 West Young St. Morgan	October 21-24 - 1:00p.m. to 5:00 p.m. October 27-30 - 1:00p.m. to 6:00 p.m. October 31 1:00 p.m. to 5:00 p.m.
Grand	Grand County Courthouse Council Chambers 125 East Center Moab	October 21-24& 27-31, 8:00 a.m. to 5:00 p.m.
Iron	Iron County Courthouse 68 S 100 East Parowan	Monday-Friday (starting Oct.21-Oct. 31) 9:00 a.m. to 5:00 p.m.
	Enoch City Offices 900 E Midvalley Rd. Enoch	Oct. 27-31 9:00 a.m. to 5:00 p.m.
	City Cedar Offices 10 N Main St. Cedar City	Oct. 27-31 9:00 a.m. to 5:00 p.m.
Juab	160 North Main Nephi	October 21- 24, 27-31 7:30 am to 5:00 pm
Kane	Kane County Courthouse 76 North Main Kanab	Monday-Friday (starting Oct.21-Oct. 31) 8:00 a.m. to 5:00 p.m.
Millard	Millard County Clerk's Office 765 South Highway 99 Fillmore	Oct. 21-24 & 27-30 9:00 a.m. to 4:00 p.m. Oct. 31, 9:00 a.m. to 5:00 p.m.
Morgan	Morgan County Courthouse 48 West Young St., Morgan Morgan	Oct. 21-24, 31 1:00 p.m. to 5:00 p.m. Oct. 27-30, 1:00 p.m. to 6:00 p.m.
Piute	Piute Courthouse 550 North Main Junction Piute	Oct. 21-24 & 27-30 10:00 a.m. to 4:00 p.m. Oct. 31, 10:00 a.m. to 5:00 p.m.
Rich	Rich County Clerk's Office 20 South Main Randolph	Monday-Friday (starting Oct.21-Oct. 30) 9:00 a.m. to 4:00 p.m. Friday, Oct. 31, 9:00 a.m. to 5:00 p.m.
Salt Lake	Salt Lake County Gov Center 2001 S State St. South Bldg., First Floor Salt Lake City	October 21-31, Weekdays 8:00 a.m.-5:00 p.m. Oct. 25 & Nov. 1 10:00 a.m.-3:00 p.m.
	NW Multipurpose Center 1300 West 300 North Salt Lake City	October 21-30, Weekdays 12:00 p.m.-7:00 p.m. Friday, Oct. 31 12:00 p.m.-5:00 p.m.
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## EARLY VOTING LOCATIONS (continued)

Salt Lake (continued)	U of U Olpin Union 200 S Central Campus Dr Salt Lake City	October 21-30, Weekdays 12:00 p.m.-7:00 p.m. Friday, Oct. 31 12:00 p.m.-5:00 p.m.
	Magna Chamber of Commerce 9145 W 2700 S Magna	October 21-30, Weekdays 12:00 p.m.-7:00 p.m. Friday, Oct. 31 12:00 p.m.-5:00 p.m.
	Holladay City Hall 4580 S 2300 E Holladay	October 21-30, Weekdays 12:00 p.m.-7:00 p.m. Friday, Oct. 31 12:00 p.m.-5:00 p.m.
	West Valley City Hall 3600 S Constitution Blvd (1880 W) West Valley City	October 21-30, Weekdays 12:00 p.m.-7:00 p.m. Friday, Oct. 31 12:00 p.m.-5:00 p.m.
	Murray City Hall 5025 S State #101 Murray	October 21-30, Weekdays 12:00 p.m.-7:00 p.m. Friday, Oct. 31 12:00 p.m.-5:00 p.m.
	Taylorville City Hall 2600 W Taylorville Blvd (5330 S) Taylorville	October 21-30, Weekdays 12:00 p.m.-7:00 p.m. Friday, Oct. 31 12:00 p.m.-5:00 p.m.
	Kearns Improvement District 5350 W 5400 S Kearns	October 21-30, Weekdays 12:00 p.m.-7:00 p.m. Friday, Oct. 31 12:00 p.m.-5:00 p.m.
	West Jordan Fire Station #53 7602 S Jordan Landing Blvd (3900 W) West Jordan	October 21-30, Weekdays 12:00 p.m.-7:00 p.m. Friday, Oct. 31 12:00 p.m.-5:00 p.m.
	Midvale City Hall 655 W Center St (7720 S) Midvale	October 21-30, Weekdays 12:00 p.m.-7:00 p.m. Friday, Oct. 31 12:00 p.m.-5:00 p.m.
	Sandy Fire Station #35 8186 S 1300 E Sandy	October 21-30, Weekdays 12:00 p.m.-7:00 p.m. Friday, Oct. 31 12:00 p.m.-5:00 p.m.
	Sandy City Hall 10000 S Centennial Pkwy (170 W) Sandy	October 21-30, Weekdays 12:00 p.m.-7:00 p.m. Friday, Oct. 31 12:00 p.m.-5:00 p.m.
	Gale History Center 10300 S Beckstead Ln(1600 W) South Jordan	October 21-30, Weekdays 12:00 p.m.-7:00 p.m. Friday, Oct. 31 12:00 p.m.-5:00 p.m.

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## EARLY VOTING LOCATIONS (continued)

Salt Lake (continued)	Draper City Hall 1020 E Pioneer Rd (12425 S) Draper	October 21-30, Weekdays 12:00 p.m.-7:00 p.m. Friday, Oct. 31 12:00 p.m.-5:00 p.m.
	Riverton City Hall 12830 S 1700 W Riverton	October 21-30, Weekdays 12:00 p.m.-7:00 p.m. Friday, Oct. 31 12:00 p.m.-5:00 p.m.
San Juan	San Juan Clerk's Office 117 South Main Monticello	Oct.21-Oct. 31, Monday-Friday 8:00 a.m. to 5:00 p.m.
Sanpete	Sanpete County Clerk's Office 160 N Main, Rm 202 Manti	October 21-24 & 27-31 Tuesday - Thursday 7:30 A.M. – 6:00 P.M Friday 8:30 a.m. - 5:00 p.m.
Sevier	Sevier County Administration Building 250 North Main, Richfield	Monday-Friday (Starting Oct. 21-Oct. 31) 10:00 a.m. to 5:00 p.m.
	Salina City hall 90 West Main Salina	Oct. 22, 23, 29, & 30 1:30 p.m.-5:30 p.m.
Summit	Summit County Courthouse 60 North Main, Coalville	Monday-Friday (starting Oct.21-Oct. 31) 10:00 a.m. to 5:00 p.m.
	Kamas City Hall 170 North Main, Kamas	Monday-Friday (starting Oct.21-Oct. 31) 10:00 a.m. to 5:00 p.m.
	Park City Library Room 207 1255 Park Ave, Park City	Monday-Friday (starting Oct.21-Oct. 31) 10:00 a.m. to 5:00 p.m.
	Sheldon Richins Building 6505 Landmark Drive, Park City	Monday-Friday (starting Oct.21-Oct. 31) 10:00 a.m. to 5:00 p.m.
Tooele	Tooele County Building 47 South Main 3rd floor, Room #308 Tooele	Monday-Thursday (starting Oct.21-Oct. 30) 8:30 a.m. to 8:00 p.m. Friday, Oct. 31 8:30 a.m. to 5:00 p.m.
	Grantsville City Hall 429 E. Main St., Lobby Grantsville	Monday-Thursday (starting Oct.21-Oct. 30) 8:30 a.m. to 8:00 p.m. Friday, Oct. 31; 8:30 a.m. to 5:00 p.m.
	Rose Springs Elementary 5349 N. Insbrook Place Stansbury Park	Monday-Thursday (starting Oct.21-Oct. 30) 8:30 a.m. to 8:00 p.m. Friday, Oct. 31; 8:30 a.m. to 5:00 p.m.
	Tooele Senior Citizens Center 59 East Vine Tooele	Wednesday, October 22 9:00 a.m. to 12 noon Friday, October 24th 4:30 p.m. to 6:00 p.m.
	Grantsville Senior Citizens Center 120 So. Center Grantsville	Wednesday, October 29th 9:30 a.m. to 12:30 p.m.
Uintah	State & County Administration Building South Conference Room 147 East Main Street Vernal	Tuesday, Oct. 21 thru Friday Oct. 24 8:00 a.m. to 5:00 p.m. Saturday, Oct. 25 10:00 a.m. to 2:00 p.m. Monday, Oct. 27 thru Friday, Oct.31 8:00 a.m. to 5:00 p.m.

## EARLY VOTING LOCATIONS (continued)

Utah	Utah Community Credit Union 1384 North Commerce Drive Saratoga Springs	Monday-Friday (starting Oct.21-Oct. 31) 1:00 p.m. to 5:00 p.m.
	American Fork Library 84 South 100 East American Fork	Monday-Friday (starting Oct.21-Oct. 30) 3:00 p.m. to 7:00 p.m. Oct. 31, 3:00 p.m. to 5:00 p.m.
	Utah Valley University Sorensen Student Center UVUSA Office (SC105) 800 West University Parkway Orem	Monday-Friday (starting Oct.21-Oct. 31) 10:00 a.m. to 2:00 p.m.
	Utah County Administration Building 100 East Center Street, LL900 Provo	Monday-Friday (starting Oct.21-Oct. 31) 8:30 a.m. to 5:00 p.m.
	Spanish Fork National Guard Armory Spanish Fork 2801 North Main	Monday-Friday (starting Oct.21-Oct. 31) 1:00 p.m. to 5:00 p.m.
Wasatch	25 N. Main Street Heber City	Monday-Friday (starting Oct.21-Oct. 31) 8:30 a.m. to 5:00 p.m.
Washington	Washington County Administration Building 197 E. Tabernacle St. George	Monday-Friday (starting Oct.21-Oct. 30) 9:00 a.m. to 4:00 p.m. Oct. 31, 9:00 a.m. to 5:00 p.m.
	Hurricane Library 36 South 300 West Hurricane	Oct. 21, 23, 27, 29, & 30 9:00 a.m. to 4:00 p.m. Oct. 22, 24, 28, 31 12:00 p.m. to 5:30 p.m.
	Santa Clara Branch Library 1099 Lava Flow Dr. St. George	Oct. 21, 22, 28 2:00 p.m. to 6:30 p.m. Oct. 23, 27, 29, & 30 10:00 a.m. to 5:00 p.m. Oct. 24 & 31, 1:00 p.m. to 5:00 p.m.
	Red Cliffs Mall 1770 East Red Cliffs Drive St. George	Monday-Friday (starting Oct.21-Oct. 30) 11:00 a.m. to 7:00 p.m.
	Dixie Convention Center 1835 Convention Center Drive St. George	Monday-Friday (starting Oct.21-Oct. 31) 9:00 a.m. to 5:00 p.m.
Wayne	County Clerk's Office 18 South Main Loa	Monday-Friday (starting Oct.21-Oct. 31) 9:00 a.m. to 5:00 p.m.
Weber	Weber County Library 131 South 7400 East Huntsville	Oct. 21-24 & 27-31 8:00 a.m. to 5:00 p.m. Oct. 25, 9:00 a.m. to 5:00 p.m.
	North Ogden City Offices 505 East 2600 North North Ogden	Oct. 21-24 & 27-31 8:00 a.m. to 5:00 p.m. Oct. 25, 9:00 a.m. to 5:00 p.m.
	Weber County Library 1950 West 4800 South Roy	Oct. 21-24 & 27-31 8:00 a.m. to 5:00 p.m. Oct. 25, 9:00 a.m. to 5:00 p.m.
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## EARLY VOTING LOCATIONS (continued)

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Weber (continued)	The Weber Center 2380 Washington Blvd, 1st Floor Ogden	Oct. 21-24 & 27-31 8:00 a.m. to 5:00 p.m. Oct. 25, 9:00 a.m. to 5:00 p.m.
	The Weber Ice Sheet 4390 Harrison Blvd. Ogden	Oct. 21-24 & 27-31 8:00 a.m. to 5:00 p.m. Oct. 25, 9:00 a.m. to 5:00 p.m.
	Marriott-Slaterville City Offices 1570 West 400 North Marriott-Slaterville	Oct. 21-24 & 27-31 8:00 a.m. to 5:00 p.m.



# State of Utah Mail-in Voter Registration Form

## Voter Instructions

### You may use this form to:

- register to vote in Utah
- change your name or address on your voter registration record
- register with a party or change your party affiliation

### To register to vote in Utah, you must:

- be a citizen of the United States
- have resided in Utah at least 30 days immediately before the next election
- be at least 18 years old on or before the next election
- first time voters must include a copy of a valid form of photo identification or proof of residence (or present it at the polls)

### Mail-in registration instructions

- Complete all required information
- If you have registered to vote with a different name or address, complete the change of information section
- **A driver license or state identification number is required. If you do not have a driver license or a state identification card, please write "None" in the space designated for driver license or state identification and fill in the last 4 digits of your social security number**
- Read the voter declaration and citizenship affidavit and sign and date below
- Mail the form to your county clerk's office (addresses are on the back of this form)

### Deadline for submitting this form

This form must be postmarked at least 30 days before an election or be presented in person to the county clerk at least 15 days before an election for you to be eligible to vote in that election. If you register less than 30 days before an election you may only vote on Election Day and not during early voting.

### For more information

If you need more information, contact your county clerk at the number listed on the back of this form, or call the Lieutenant Governor's Office at (801) 538-1041 or 1-800-995-VOTE.

Use pen – Please print clearly

**NOTICE:** In order to be allowed to vote in a voting precinct for the first time or to vote during the early voting period before the date of the election, you must present valid voter identification to the poll worker before voting as follows: (1) a valid form of photo identification that shows your name, photograph, and current address; or, (2) two different forms of identification that show your name and current address.

Are you a citizen of the United States of America?  Yes  No Will you be 18 years of age on or before election day?  Yes  No

**Qualifications:** If you check no in response to either of these questions do not complete this form.

Name (required) Last			First	Middle	Date of Birth (required, month/day/year)				
Home Address (required, principal place of residence)				City	State	Zip Code	Place of Birth (required, state or country)		
Mailing Address (required if different from home address)				City	State	Zip Code	Last 4 Digits of Social Security #	Name at Birth (if different)	
County of Residence (required)				Phone Number (optional)			Driver License or State Identification #	State Issued	
Political Party: (optional) <input type="checkbox"/> Constitution <input type="checkbox"/> Democrat <input type="checkbox"/> Libertarian <input type="checkbox"/> Republican								Place of Naturalization (if applicable)	Date
<input type="checkbox"/> Unaffiliated (no party preference) <input type="checkbox"/> Other (please specify) _____								I am a person with a disability (optional) <input type="checkbox"/> Yes <input type="checkbox"/> No	
Name on Previous Registration			Address on Previous Registration		City	County	State	Zip Code	

### Read and sign below

**Voter Declaration:** I do swear (or affirm), subject to penalty of law for false statements, that the information contained in this form is true and that I am a citizen of the United States and a resident of the State of Utah, residing at the above address. I will be at least 18 years old on or before the next election and I will have resided in Utah for 30 days immediately before the next election. I am not a convicted felon currently incarcerated for commission of a felony.

**Citizenship Affidavit:** I hereby swear and affirm, under penalties for voting fraud set forth below in Utah Code Section 20A-2-401, that I am a citizen and that to the best of my knowledge and belief the information above is true and correct.

Signature \_\_\_\_\_ Date (month/day/year) \_\_\_\_\_

(The above signature applies to the Voter Declaration and the Citizenship Affidavit)

In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or allowing yourself to be registered to vote if you know you are not entitled to register to vote is up to one year in jail and a fine of up to \$2,500.

<b>Office use only:</b>	
Type of ID _____	
Voting precinct _____	Voting ID # _____
BY MAIL 03/2008	

## COUNTY CLERKS

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Paul B. Barton  
**Beaver County Clerk**  
435-438-6463  
Fax 435-438-6462  
P.O. Box 392  
Beaver, UT 84713-0392

LuAnn Adams  
**Box Elder County Clerk**  
435-734-3351  
Fax 435-723-7562  
01 South Main Street  
Brigham City, UT 84302-2599

Jill Zollinger  
**Cache County Clerk**  
435-755-1460  
Fax 435-755-1980  
179 No. Main Street  
Suite 102  
Logan, UT 84321

Robert P. Pero  
**Carbon County Clerk/Auditor**  
435-636-3224  
Fax 435-636-3210  
120 East Main  
Price, UT 84501-3057

Vickie McKee  
**Daggett County Clerk/Treasurer**  
435-784-3154  
Fax 435-784-3335  
P.O. Box 219  
Manila, UT 84046-0219

Steve Rawlings  
**Davis County Clerk/Auditor**  
801-451-3213  
Fax 801-451-3421  
P.O. Box 618  
Farmington, UT 84025-0618

JoAnn Evans  
**Duchesne County Clerk**  
435-738-1228  
Fax 435-738-5522  
P.O. Box 270  
Duchesne, UT 84021-0270

Brenda Dugmore  
**Emery County Clerk**  
435-381-5106  
Fax 435-381-5183  
P.O. Box 907  
Castle Dale, UT 84513-0907

Camille Moore  
**Garfield County Clerk/Auditor**  
435-676-8826  
Fax 435-676-8239  
P.O. Box 77  
Panguitch, UT 84759-0077

Diana Carroll  
**Grand County Clerk/Auditor**  
435-259-1321  
Fax 435-259-2959  
125 East Center  
Moab, UT 84532-2492

David I. Yardley  
**Iron County Clerk**  
435-477-8340  
Fax 435-477-8847  
P.O. Box 429  
Parowan, UT 84761-0429

Patricia Ingram  
**Juab County Clerk/Auditor**  
435-623-3410  
Fax 435-623-5936  
160 North Main  
Nephi, UT 84648-1412

Karla Johnson  
**Kane County Clerk/Auditor**  
435-644-2458  
Fax 435-644-2052  
76 North Main  
Kanab, UT 84741-0050

Norma Brunson  
**Millard County Clerk**  
435-743-6223  
Fax 435-743-6923  
765 South Highway 99  
Fillmore, UT 84631-5002

Stacy Lafite  
**Morgan County Clerk/Auditor**  
801-845-4011  
Fax 435-829-6176  
P.O. Box 886  
Morgan, UT 84050-0886

Valeen H. Brown  
**Plute County Clerk/Auditor**  
435-577-2840  
Fax 435-577-2433  
P.O. Box 99  
Junction, UT 84740-0099

Becky Peart  
**Rich County Clerk/Auditor**  
435-793-2415  
Fax 435-793-2410  
20 South Main  
P.O. Box 218  
Randolph, UT 84064-0218

Sherrie Swensen  
**Salt Lake County Clerk**  
Elections Division  
801-468-8683  
Fax: 801-468-3473  
2001 South State Street  
#S1100  
Salt Lake City, UT 84190-1051

Norm Johnson  
**San Juan County Clerk/Auditor**  
435-587-3223  
Fax 435-587-2425  
P.O. Box 338  
Monticello, UT 84535-0338

Sandy Neill  
**Sanpete County Clerk**  
435-835-2131  
Fax 435-835-2135  
160 North Main  
P. O. Box 100  
Manti, UT 84642-0100

Steven C. Wall  
**Sevier County Clerk**  
435-893-04001  
Fax 435-893-0496  
P.O. Box 607  
Richfield, UT 84701-0607

Kent H. Jones  
**Summit County Clerk**  
435-336-3204  
Fax 435-336-3030  
P.O. Box 128  
Coalville, UT 84017-0128

Marilyn K. Gillette  
**Tooele County Clerk**  
435-843-3140  
Fax 435-882-7317  
47 South Main  
Tooele, UT 84074-2194

Michael W. Wilkins  
**Uintah County Clerk**  
435-781-5361  
Fax 435-781-6701  
147 East Main  
Vernal, UT 84078-2643

Bryan E. Thompson  
**Utah County Clerk/Auditor**  
801-851-8128  
Fax 801-851-8122  
100 East Center, Rm. 3100  
Provo, UT 84606-3106

Brent R. Titcomb  
**Wasatch County Clerk**  
435-654-3211  
Fax 435-657-3328  
25 North Main  
Heber City, UT 84032-1827

Calvin R. Robison  
**Washington County Clerk**  
435-634-5712  
Fax 435-634-5763  
197 East Tabernacle  
St. George, UT 84770-3473

Ryan Torgerson  
**Wayne County Clerk**  
435-836-1300  
Fax 435-836-2479  
P.O. Box 189  
Loa, UT 84747-0189

Alan D. McEwan  
**Weber County Clerk/Auditor**  
801-399-8400  
Fax 435-399-8300  
2380 Washington Blvd  
Suite 320  
Ogden, UT 84401-1456





STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

I, Gary R. Herbert, Lieutenant Governor of the State of Utah, hereby certify that the measures contained in this pamphlet will be submitted to the voters of Utah at the election to be held throughout the state on November 4, 2008, and that this pamphlet is complete and correct according to law.

In testimony whereof, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 8<sup>th</sup> day of September, 2008 at Salt Lake City, Utah.



*Gary R. Herbert*

Gary R. Herbert  
Lieutenant Governor

UTAH VOTER INFORMATION PAMPHLET  
General Election, November 4, 2008

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