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A Performance Audit of the Utah State Courts:

Improving Judicial Accountability and Efficiency by
Strengthening Governance and Leadership

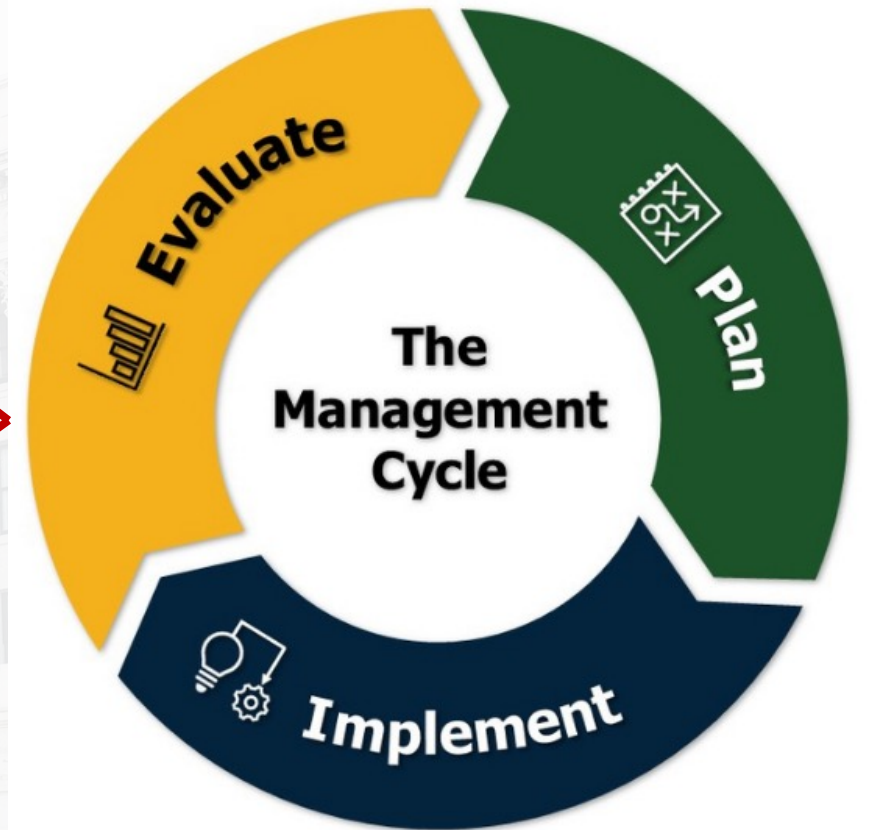
Legislative Audit Subcommittee

September 30, 2026

Weaknesses Identified in this Report Can Be Addressed by Implementing a Formal Accountability Framework

The judiciary has created a strategic plan centered on fairness and efficiency. However, it lacks an accountability framework to ensure actions are consistent with its strategic goals.

By using such a framework, the Judicial Council can bolster its ability to achieve its mission of a fair, efficient, and independent judiciary.

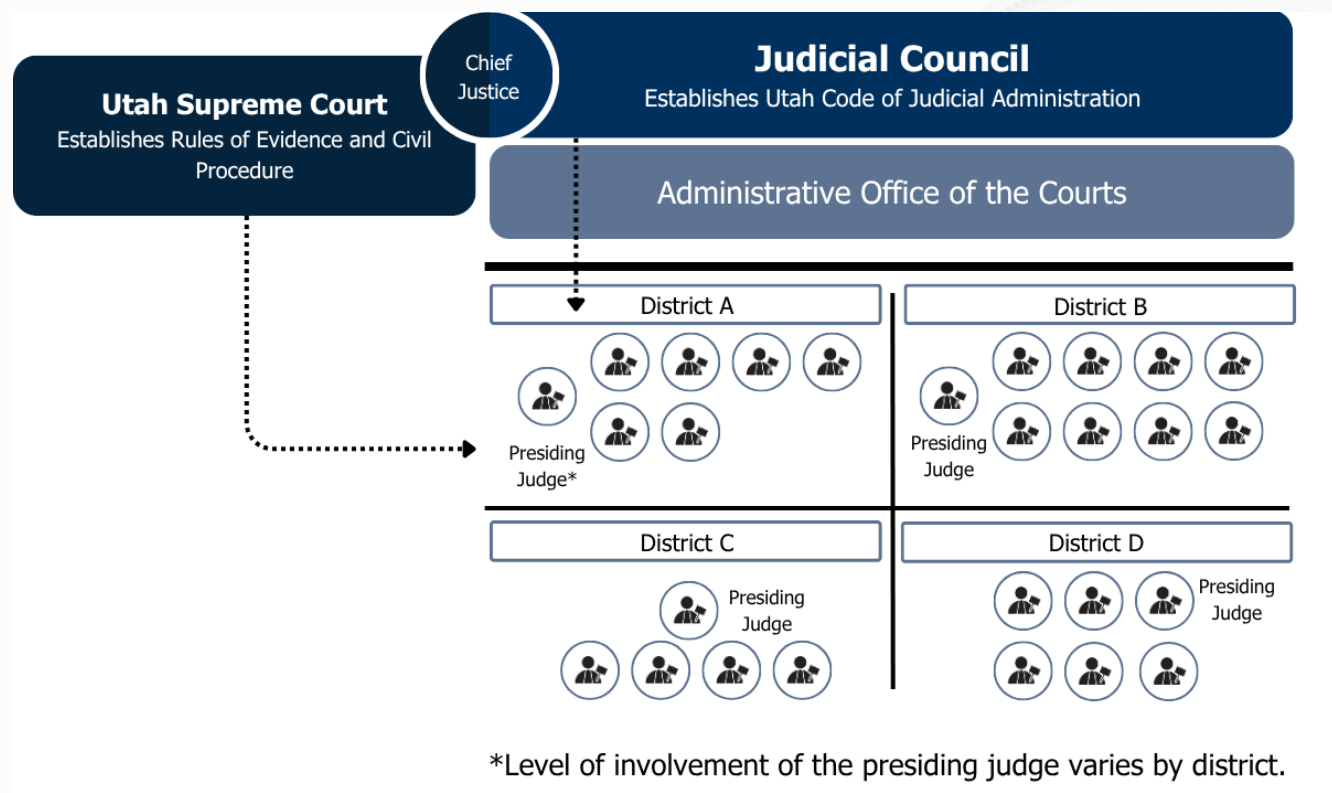




Chapter 1

Governance and Leadership Gaps Weaken Judicial Accountability and Performance

The Judiciary's Governance Framework Fails to Adequately Include Judicial Accountability



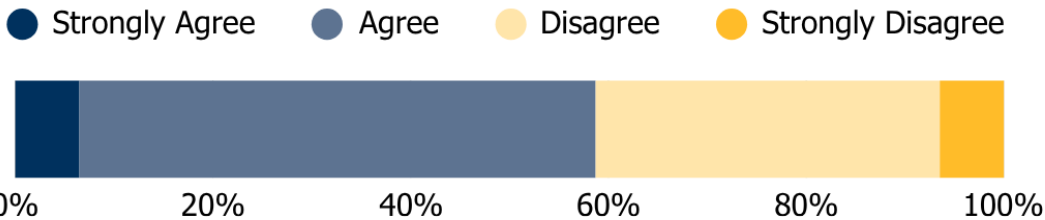
Individual judges:

- Are largely excluded from the Judiciary's strategic plan.
- Have differing opinions on the relevance of the strategic plan.
- Are divided on whether the Judicial Council or presiding judges can hold them accountable for poor performance.



Presiding Judges Can Provide Local Accountability

Presiding judges have the ability to hold judges accountable for poor performance.



Presiding judges are unsure of their role regarding accountability in their districts

	Authority Given to Presiding Judges	Mandatory or Discretionary	Form of Law Established
UTAH	Ability to address code violations and issues impeding judge behavior.	Discretionary	Judicial Code
COLORADO	Direct responsibility to address performance deficiencies identified through evaluation.	Mandatory	Statute
ALASKA	Ongoing supervision authority over judges.	Mandatory	Statute
CALIFORNIA	Responsibility to ensure that judicial duties are performed timely and orderly.	Mandatory	Court Rules
WASHINGTON	Supervision over judicial business of the district and education of other judicial officers.	Mixed*	Court Rules

*Supervision is mandatory; education/mentoring is discretionary.

Leadership’s Limited Guidance Has Left Performance Issues Unresolved

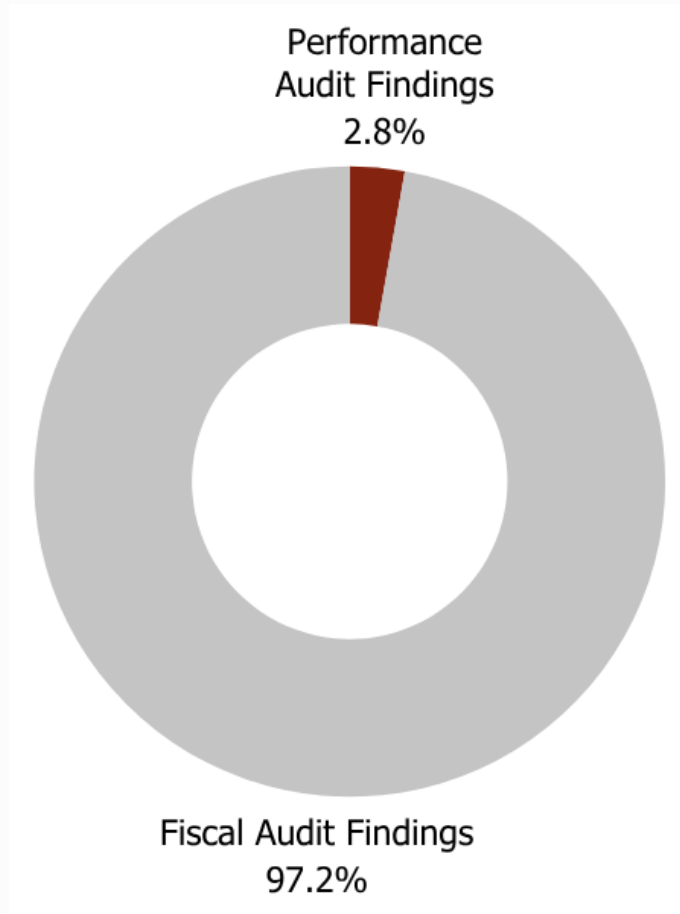


Department	Judicial Council Role	Current Practices
 Internal Audit Team	Align audit to strategic mission and initiatives	Audits do not address strategic goals
 Data and Research Department	Use performance data to inform areas of needed improvement	Data is left unused
 Standing Education Committee	Address training gaps for judges	Known gaps are unaddressed

The Judicial Council has not adequately fulfilled its leadership responsibility to broadly oversee and improve the organization. This has allowed leadership gaps to persist in three of the AOC’s internal departments.



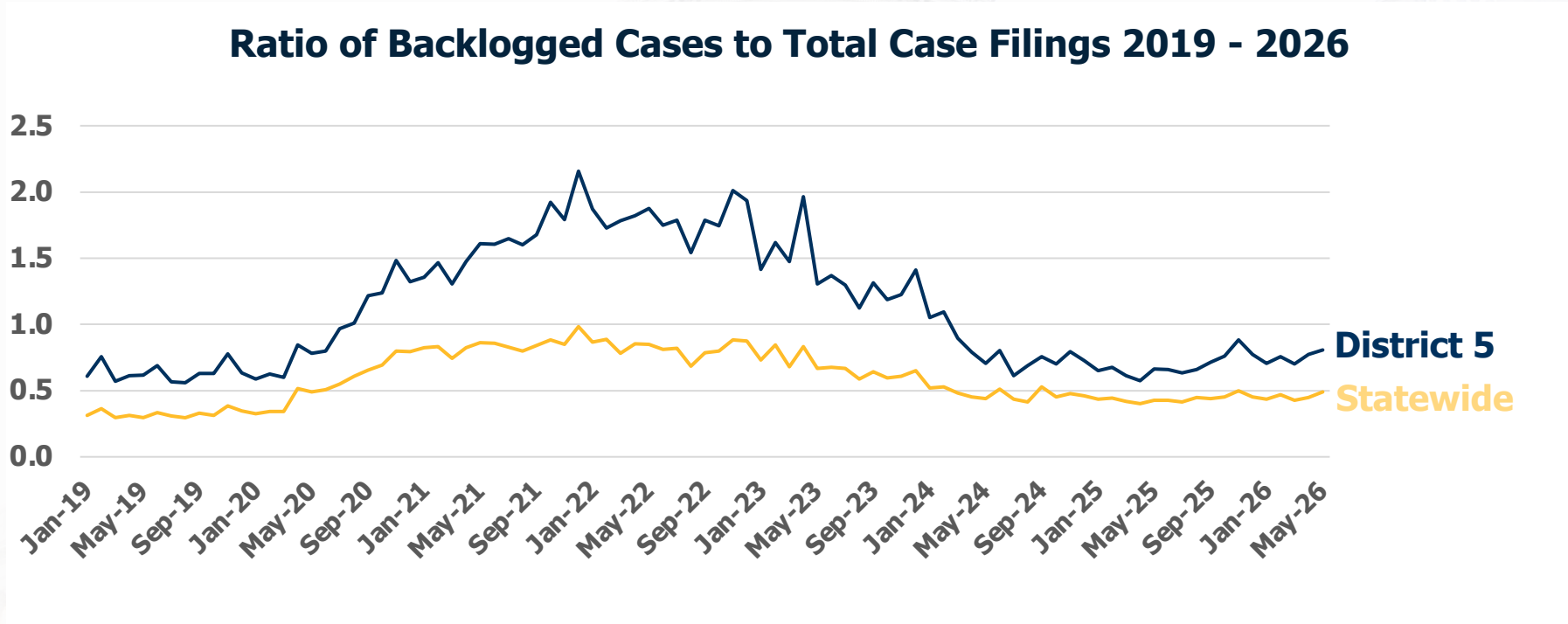
Internal Audit Planning Should Improve to Incorporate All High-Risk Areas



Since 2019, internal self-assessments have identified the lack of governance recommendations as a significant gap in the AOC's internal audit function.

Despite these findings, the AOC continues to focus overwhelmingly on fiscal audit findings while giving insufficient attention to governance and leadership.

Leadership Collects but Does Not Use Data that Would Drive Improvement

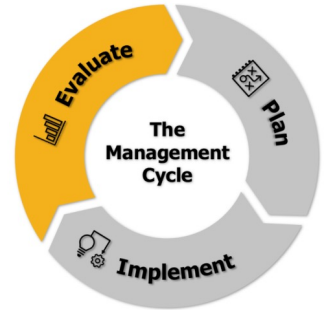


The Judicial Council receives but does not use backlog reports to identify needed improvements. As a result, districts may experience prolonged performance issues without meaningful oversight.



Chapter 2

The Judiciary Does Not Effectively Monitor Whether Justice Is Applied Consistently



The Judiciary Lacks a Process to Ensure Sentencing Fairness and Consistency

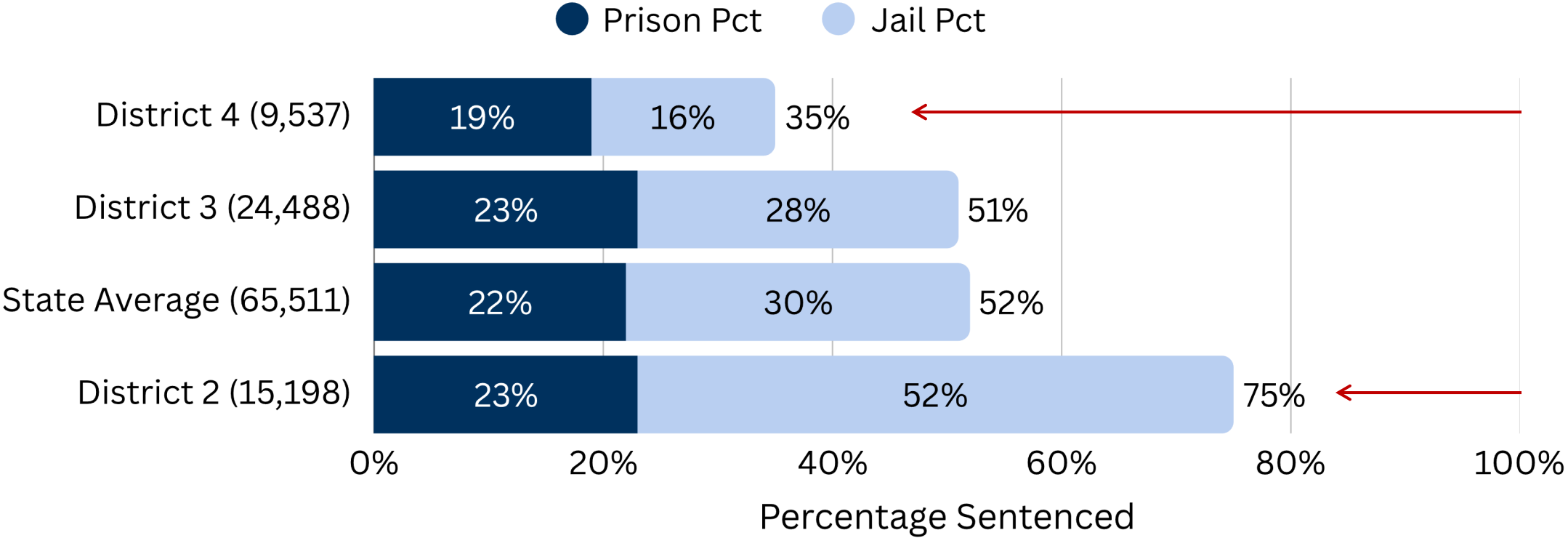
The Judiciary does not routinely evaluate sentencing decisions. Our analysis found substantial sentencing variation across districts and judges.

Why it matters:

- Judicial discretion requires oversight.
- Sentencing differences go unidentified and unexplained.
- Judges lack comparative information about their own sentencing practices.
- Policymakers and the public lack transparency into sentencing decisions.

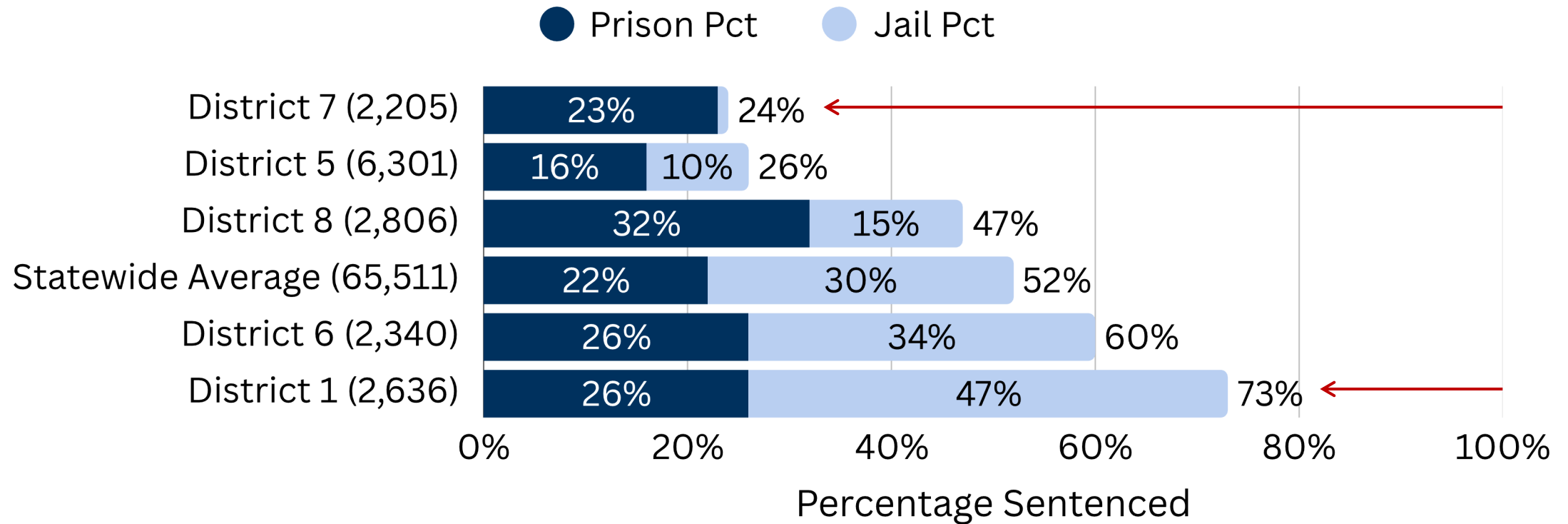
Wasatch Front Districts

Sentencing Outcomes for Third Degree Felonies, 2017-2025 Wasatch Front



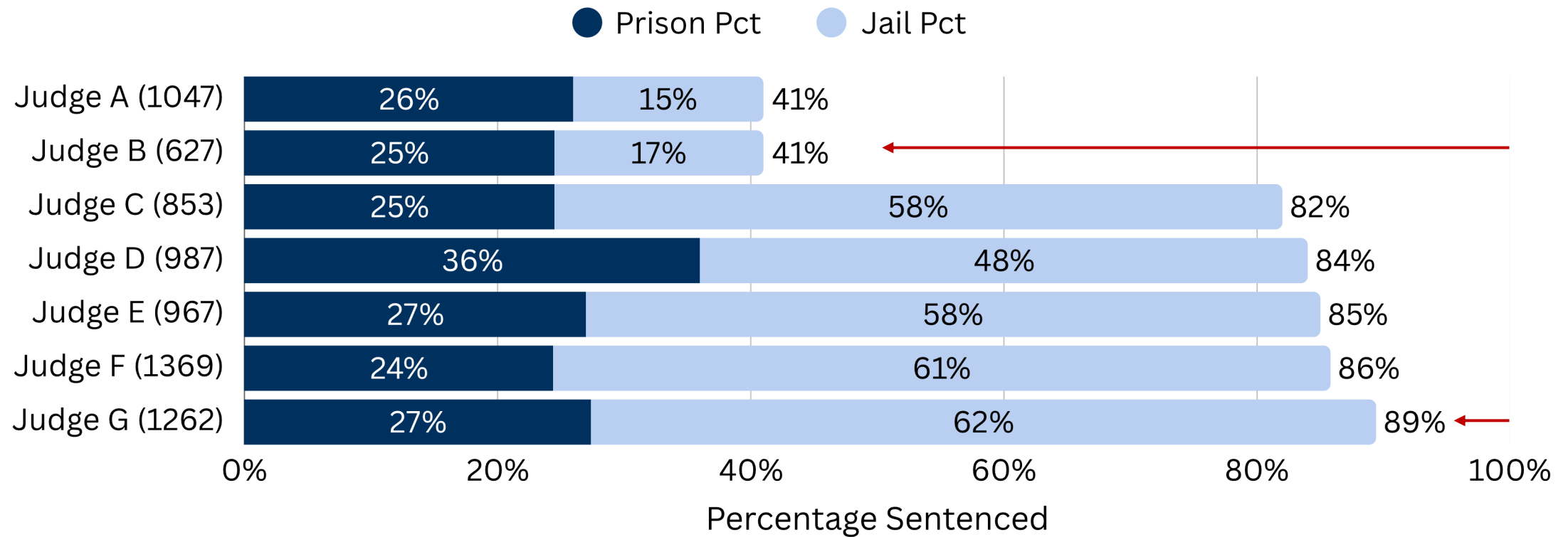
Rural Districts

Sentencing Outcomes for Third Degree Felonies, 2017-2025 Rural Districts



District 2 Judge Comparison

Sentencing Outcomes for Third Degree Felonies, 2017-2025 District 2 Judges



Recommendation to the Judiciary

- The Judicial Council should develop a process for routinely analyzing sentencing outcomes across judges, districts, and offense types.
- This process will help judicial leadership identify, understand, and address variation in sentencing.

State	Guideline Use	Reasons for Departures From Guidelines	State-Level Sentencing Outcomes	District-Level Outcomes	Judge-Level Outcomes
 Utah	✗	✗	✗	✗	✗
 Pennsylvania	✓	✓	✓	✓	✓
 Washington	✓	✓	✓	✓	✓
 Maryland	✓	✓	✓	✓	✗
 Minnesota	✓	✓	✓	✓	✗
 North Carolina	✓	✗	✓	✓	✗
 Arkansas	✓	✗	✓	✓	✗
 Kansas	✓	✗	✓	✓	✗
 Massachusetts	✓	✗	✓	✗	✗

Utah Needs to Strengthen Its Transparency of Sentencing Guideline Use

Legislative Action



The Legislature should consider requiring the DOCJ to publicly report guideline use, reasons for departures, and sentencing decisions.

This reporting will create transparency, provide information about statewide sentencing patterns, and potentially improve criminal justice outcomes for Utah citizens.



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