

**MINUTES OF THE
SENATE JUDICIAL CONFIRMATION COMMITTEE**
Thursday, January 22, 2009 – 11:00 a.m. – Room 450 State Capitol

Members Present:

Sen. Gregory S. Bell, Chair
Sen. D. Chris Butters
Sen. Karen Mayne
Sen. Michael G. Waddoups

Members Absent:

Sen. Lyle W. Hillyard

Staff Present:

Mr. John L. Fellows, General Counsel
Mr. Jerry D. Howe, Policy Analyst
Ms. Chelsea Barrett, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Bell called the meeting to order at 11:12 a.m. The Committee introduced themselves to the candidate and the audience.

2. Interview of Ms. Janice L. Frost

The candidate introduced herself and her family.

MOTION: Sen. Waddoups moved to close the meeting for the purpose of discussing the character, professional competence, or physical or mental health of Ms. Janice L. Frost. The motion passed unanimously.

Ms. Frost expressed appreciation to the nomination Committee for the consideration to be confirmed to the position of Judge in the Second District Juvenile Court. She gave a background of her life, schooling, and professional career. She explained to the Committee her legal background working in juvenile litigation in Utah.

MOTION: Sen. Butters moved to open the meeting. The motion passed unanimously.

Ms. Frost was placed under oath by Mr. Howe.

Chair Bell asked for questions from the Committee for Ms. Frost to answer.

Sen. Mayne asked how Ms. Frost handles professional situations that are high in emotion. Ms. Frost noted that several changes have been made in child protection laws and family crisis situations over the years, making for better ways of taking emotion out of the decision making process.

Sen. Waddoups asked if there is anything in Ms. Frost's background that could become an embarrassment to the judiciary.

Ms. Frost stated that there was not.

Chair Bell counseled Ms. Frost that he feels the necessity of consistency while making judgement decisions, and the importance of ruling by law.

MOTION: Sen. Buttars moved to recommend to the full Senate the confirmation of Ms. Frost as a judge in the Second District Juvenile Court. The motion passed unanimously.

3. Interview of Mr. Michael D. DiReda

The candidate introduced himself and his family.

Mr. DiReda was placed under oath by Mr. Howe.

Mr. DiReda explained his background, work experience, and legal professional experience. He explained his educational background in California and his years of work being a prosecutor in criminal trials.

Sen. Mayne asked Mr. DiReda of any life experiences that tested his leadership skills and a circumstance where he handled adversity to be of benefit to his life. Mr. DiReda spoke about his personal family experiences and the several applications he submitted to be a judge.

Sen. Buttars asked what Mr. DiReda's opinions were on the death penalty. Di Reda noted that judges must uphold the laws and that he has had experiences enforcing this particular law.

Sen. Waddoups asked how he will address domestic and civil issues while being a judge. Mr. DiReda explained that he does have experience with domestic and civil cases, although the majority of his experience is with criminal law.

Sen. Waddoups asked if there is anything in Mr. DiReda's background that could become an embarrassment to the judiciary.

Mr DiReda stated that there was not.

Chair Bell asked what his main desire was to become a judge. Mr. DiReda explained that while working as a prosecutor, he became aware of the powerful influence a judge can have to serve justice and counsel individuals in attempts to create better lives.

MOTION: Sen. Buttars moved to recommend to the full Senate the confirmation of Mr. DiReda as a judge in the Second District Court. The motion passed unanimously.

3. Other Items / Adjourn

MOTION: Sen. Waddoups moved to adjourn. The motion passed unanimously.

Chair Bell adjourned the meeting at 12:36 p.m.