

**MINUTES OF THE  
SENATE JUDICIAL CONFIRMATION COMMITTEE**  
Monday, August 13, 2012 – 10:00 a.m. – Room 450 State Capitol

**Members Present:**

Sen. Scott K. Jenkins, Chair  
Sen. Lyle W. Hillyard  
Sen. Mark B. Madsen  
Sen. Karen Mayne  
Sen. Daniel W. Thatcher  
Pres. Michael G. Waddoups

**Staff Present:**

Ms. Esther D. Chelsea-McCarty, Associate General Counsel  
Mr. Jerry D. Howe, Policy Analyst  
Ms. Jennifer Christopherson, 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](http://www.le.utah.gov).

**1. Committee Business**

Chair Jenkins called the meeting to order at 10:11 a.m.

**MOTION:** Sen. Thatcher moved to close the meeting for the purpose of discussing the character, professional competence, and physical or mental health of judicial candidate . The motion passed unanimously, with Sen. Hillyard and Sen. Madsen absent for the vote.

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

The committee introduced themselves to the audience. Chair Jenkins read a paragraph from the article “Before the Bench: The Utah Senate and Judicial Confirmation.” “The assessment will include a review of the appointee's professional experience, integrity, judicial temperament, legal knowledge, and ability to interpret and apply the law in an impartial manner. I believe this is not only the Senate's prerogative, but it is the Senate's duty.”

**2. Interview of Ms. Su J. Chon**

Ms. Su J. Chon was placed under oath by Mr. Howe. She thanked the committee for the opportunity and family and friends for their support. She provided a personal and professional background statement to the committee and spoke about her childhood, family, education, and experience. Ms. Chon introduced her family and friends in attendance. She responded to questions from the committee concerning her experience, the death penalty, mediation, and property rights.

Mr. Randy Hunter, attorney, was placed under oath by Mr. Howe. Mr. Hunter spoke in favor of Ms. Chon and said that she had demonstrated her ability to learn quickly and see both sides of an issue. He responded to questions from the committee.

Mr. T. Richard Davis, President, Callister, Nebeker & McCullough, was placed under oath by Mr. Howe. Mr. Davis spoke in favor of Ms. Chon and stated that he has worked closely with her on many of his more complicated cases and stated that the sanctity of the law is very important to her. He responded to questions from the committee.

Mr. Brent Bateman, attorney, Office of the Property Rights Ombudsman, was placed under oath by Mr. Howe. Mr. Bateman spoke in favor of Ms. Chon and said that she has the skills that you cannot teach including demeanor, attitude, and ethic.

**MOTION:** Sen. Hillyard moved to favorably recommend to the full Senate that Ms. Chon be confirmed as a judge for the Third District Court. Committee discussion followed. The motion failed with Sen. Hillyard and Sen. Mayne voting in favor and Sen. Madsen, Sen. Thatcher, Sen. Waddoups, and Chair Jenkins voting in opposition.

### **3. Interview of Mr. James T. Blanch**

Mr. James T. Blanch was placed under oath by Mr. Howe. He thanked the committee for the opportunity to appear before them and introduced his family and friends in attendance. He provided a personal and professional background statement to the committee. He spoke about his family, education, and professional experience. Mr. Harris responded to questions from the committee concerning personal opinions, pro bono work, the death penalty, and the role of the courts versus the role of the legislature.

**MOTION:** Sen. Thatcher moved to favorably recommend to the full Senate that Mr. Blanch be confirmed as a judge for the Third District Court. The motion passed unanimously.

### **4. Other Items / Adjourn**

**MOTION:** Sen. Thatcher moved to adjourn the meeting. The motion passed unanimously.

Chair Jenkins adjourned the meeting at 1:35 p.m.