

1 **EXPEDITED JURY TRIAL ACT AMENDMENTS**

2 2012 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Brian S. King**

5 Senate Sponsor: Stephen H. Urquhart

7 **LONG TITLE**

8 **General Description:**

9 This bill removes specific language to prevent confusion.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ removes confusing language regarding a case in which a jury might return a "no
13 cause" verdict.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **78B-3-903**, as enacted by Laws of Utah 2011, Chapter 111

22 *Be it enacted by the Legislature of the state of Utah:*

23 Section 1. Section **78B-3-903** is amended to read:

24 **78B-3-903. Agreement.**

25 (1) An agreement to participate in an expedited jury trial under this part may be entered
26 into only after a dispute has arisen and an action has been filed.

27 (2) Any party to an action may file a motion with the court for an expedited jury trial.

28 (3) Notice of the motion shall be served on all other parties.

29 (4) All parties agreeing to participate in an expedited jury trial and, if represented, their

30 counsel shall sign the agreement filed with the court.

31 (5) The agreement to participate in the expedited jury trial process is binding upon the
32 parties.

33 (6) The conditions of the agreement shall include:

34 (a) waiver of the right to appeal the verdict;

35 (b) waiver of the right to move for a directed verdict;

36 (c) waiver of the right to file post trial motions, except as permitted by rule and Section
37 78B-3-906; and

38 (d) an agreed-upon range of monetary damages that will be awarded, regardless of the
39 verdict~~[, if liability and allocation of fault are proved].~~

40 (7) The Judicial Council may by rule impose additional reasonable conditions.

41 (8) If the jury verdict is within the agreed range of monetary damages, the court shall
42 enter the verdict as rendered. If the jury verdict is outside the agreed range of monetary
43 damages the court shall, as appropriate, increase or decrease the damages to the minimum or
44 maximum agreed amount.