

**JUDICIAL COUNCIL
OF THE TENTH CIRCUIT**

May 20, 2019

In re: District Judgeship in
St. George, Utah

ORDER

With the support of the district judges of the United States District Court for the District of Utah and pursuant to the provisions of 28 U.S.C. §§ 134(c) and 332(d)(1), the Council orders as follows:

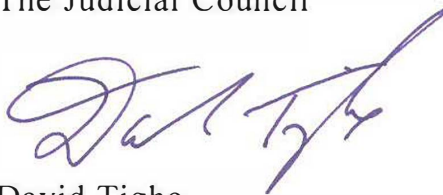
Seeking to improve federal court services available in southern Utah, the District of Utah plans to establish a permanent presence in St. George, Utah, which is 302 miles from the court's headquarters in Salt Lake City. For many years, southern Utah had been served by only a part-time magistrate judge with district judges occasionally traveling from Salt Lake City to St. George to handle court proceedings. On August 1, 2018, District Judge David Nuffer changed his duty station from Salt Lake City to St. George. With Judge Nuffer's change of duty station, the court's current facilities, which are leased from the State of Utah, are inadequate. Office space, totaling 1,123 useable square feet, and a courtroom leased on an as-needed basis are shared among Judge Nuffer, his law clerk, a part-time magistrate judge, a clerk's office employee, and a bankruptcy judge who regularly travels to St. George for court proceedings. The court, with

assistance from the Circuit and from the General Services Administration, is seeking a much larger space for offices and courtroom(s).

The public interest and the nature of the business of the District of Utah require that at least one active district judge be stationed at St. George. Except for Judge Nuffer, all senior and active district judges, full-time magistrate judges, and bankruptcy judges are located in Salt Lake City. Judge Nuffer plans to take senior status in 2022. To maintain an adequate level of court services and to justify the increased amount of space being sought in St. George, the Judicial Council concludes, and the court agrees, that another active district judge must be stationed in St. George following Judge Nuffer's retirement. Thus, the Council hereby orders that either the district judge appointed to replace Judge Nuffer or an existing active district judge, then stationed in Salt Lake City, shall maintain his or her abode in St. George. *Id.* § 134(c) (providing that "if the public interest and the nature of the business of a district court require[,]" the Council may direct that a district judge maintain his or her abode "at or near a particular place").

The Judicial Council

By:



David Tighe
Circuit Executive and Secretary to the
Judicial Council of the Tenth Circuit