**R671. Pardons (Board of), Administration.**

**R671-201. Original Hearing Schedule and Notice.**

**R671-201-1. Schedule and Notice.**

(1)(a) The Board shall conduct a scheduling review to determine the month and year of an offender's original hearing, and provide timely notice to the offender, within six months of the offender's commitment to prison, and provide notice in accordance with Rule R671-203 Victim Input and Notification.

(b)(i) No original hearing may be scheduled for any offender whose prison commitment includes a sentence of death.

(ii) No original hearing will be scheduled for any offender whose sentence includes a commitment of life without the possibility of parole. The Board will not consider parole for any offender whose prison commitment includes a sentence of life without parole, unless the requirements of Utah Code Subsection 77-27-9(7) are met.

(iii) Every other offender will be scheduled for an original hearing as described in this rule.

(2) For purposes of this rule, "scheduling review" means the process by which the Board schedules the month and year for an offender's original hearing.

(3) The date of the original hearing or scheduling review may be adjusted if:

(a) an offender requests a delay or continuance;

(b) an offender has unadjudicated criminal charges pending at the time a hearing would normally be held;

(c) a Class A misdemeanor commitment has expired before an original hearing; or

(d) the Board determines that other unusual or extraordinary circumstances impact the scheduling of an original hearing; or

(e) calendar constraints exist.

(4)(a) When scheduling an original hearing by scheduling review, the Board may consider the following, guideline date, pre-sentence report (including victim impact statements), nature of the offense, rehabilitative needs, and any relevant documentation provided.

(b) If the Board obtains and considers additional information which was not available to the offender before or at the time of sentencing, the additional information shall be provided to the offender. The offender may provide a response to any of the disclosed materials before or at the original hearing.

(5) When scheduling an original hearing by scheduling review, if the offender was less than 18 years of age at the time of the commitment offense, the original hearing shall be scheduled:

(a) no later than 6 months before the individual's 25th birthday, so long as the individual is in secure care, in the provisional custody of the Division of Juvenile Justice and Youth Services, at the time of the hearing.

(b) no later than 10 years after the individual's transfer to the custody of the Utah Department of Corrections if the individual is transferred to the custody of the department before their 25th birthday, so long as the total amount of time after the date of sentencing does not exceed 15 years.

(6) When the Board sets an original hearing in Subsection (5), the Board shall make a referral to the victim advocate at Health and Human Services to provide support and assistance should the victims of record choose to participate in any Board hearings to which they are entitled to participate.

(7) An offender may request in writing that their original appearance and hearing before the Board be continued. The request shall specify the reasons supporting the request. The Board may grant or deny the offender's request in its sole discretion.

**KEY: parole, inmates, hearings**

**Date of Last Change: December 24, 2025**

**Notice of Continuation: September 17, 2024**

**Authorizing, and Implemented or Interpreted Law: Art. VII Sec. 12; 77-27-5; 77-27-7; 77-27-9**