

1 **Attorney Admission to Jail Facilities Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Pitcher

House Sponsor:

2 **LONG TITLE**

3 **General Description:**

4 This bill addresses the admission of attorneys to county jail facilities.

5 **Highlighted Provisions:**

6 This bill:

- 7 ▶ requires a sheriff to allow an attorney to enter a county jail in order to meet with a
- 8 prisoner under certain circumstances;
- 9 ▶ provides requirements and procedures for a meeting between an attorney and a prisoner;
- 10 and
- 11 ▶ allows a sheriff to designate another person to act on behalf of the sheriff regarding the
- 12 process for a meeting between an attorney and a prisoner.

13 **Money Appropriated in this Bill:**

14 None

15 **Other Special Clauses:**

16 None

17 **Utah Code Sections Affected:**

18 ENACTS:

19 **17-72-411**, Utah Code Annotated 1953

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

21 Section 1. Section **17-72-411** is enacted to read:

22 **17-72-411 . Attorney access to prisoners at a county jail.**

- 23 (1) Subject to Subsection (2), a sheriff shall allow an attorney to enter a jail under the
- 24 sheriff's control for the purpose of meeting with a prisoner at the jail if the attorney:
- 25 (a) is currently licensed in good standing by any state; and
 - 26 (b) informs the sheriff that the attorney wishes to meet with a prisoner who is at the jail.
- 27 (2) An attorney may meet with a prisoner under Subsection (1) if the prisoner is:
- 28 (a) the attorney's current or former client;

- 31 (b) a prospective client ~~§~~ → **and the meeting:**
- 31a (i) **was requested by the prisoner, the prisoner's family, or by a person on behalf**
- 31b of the prisoner ←~~§~~ ; ~~§~~ → or
- 31c (ii) **the potential representation is for a civil rights matter;** ←~~§~~
- 32 (c) a potential witness to a criminal case that the attorney is prosecuting or defending; or
- 33 (d) an individual who may have information pertinent to a criminal case that the attorney
- 34 is prosecuting or defending.
- 35 (3)(a) Subject to Subsection (3)(b), a sheriff may designate another person at a jail under
- 36 the sheriff's control to act on behalf of the sheriff for purposes of this section.
- 37 (b) If a sheriff makes a designation under Subsection (3)(a), the sheriff shall provide the
- 38 name of the designee on:
- 39 (i) the sheriff's public website;
- 40 (ii) the jail's website, and
- 41 (iii) any other location that the sheriff determines would assist an attorney to locate
- 42 the information.
- 43 (c) A sheriff or a sheriff's designee may provide an online form or other method for an
- 44 attorney to request:
- 45 (i) a meeting under Subsection (1); or
- 46 (ii) a meeting outside of the regular hours described in Subsection (4)(b).
- 47 (4) A sheriff or a sheriff's designee:
- 48 (a) shall provide a private and confidential space at the jail in which an attorney can
- 49 meet with a prisoner; and
- 50 (b) may require a meeting described in Subsection (1) to occur between 8 a.m. and 5
- 51 p.m., Monday through Friday, excluding holidays, unless:
- 52 (i) the attorney presents special circumstances demonstrating that a meeting outside
- 53 the days or times described in this Subsection (4)(b) is necessary:
- 54 (A) to avoid a legal disadvantage or undue hardship to a prisoner or undue
- 55 hardship to the attorney; or
- 56 (B) in an emergency; and
- 57 (ii) the sheriff or the sheriff's designee determines that the special circumstances
- 58 presented under Subsection (4)(b)(i) are sufficient to warrant a meeting outside
- 59 the days or times described in this Subsection (4)(b).
- 60 (5) An attorney who meets with a prisoner under Subsection (1) and leaves discovery,
- 61 evidence, or other documents with the prisoner shall ensure that the attorney complies

62 with the requirements described in Subsection 17-72-301(3)(b).
63 (6) Nothing in this section prevents an attorney from visiting a prisoner at a jail during
64 normal visitation hours.

65 Section 2. **Effective Date.**

66 This bill takes effect on May 6, 2026.