



# The Honorable Trent Nelson

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### About the Report

For the purpose of performance evaluations, justice court judges receive either a full evaluation, mid-level evaluation, or basic evaluation. A judge receives a mid-level performance evaluation if at least one of the judge's court locations has a weighted case load at least 0.2 and fewer than 50 qualified attorneys have appeared in the judge's court(s). In making its recommendation to voters about whether a mid-level judge should be retained, JPEC considers the judge's procedural fairness, public comment, and judicial discipline records as well as compliance with judicial education, fitness for office, and case-under-advisement time standards. The Mid-Level Report is based on a series of in-person, court user interviews conducted by JPEC staff. If a judge meets minimum standards, there is a legal presumption that commissioners will vote to recommend the judge be retained. If a judge fails to meet minimum standards, there is a legal presumption that commissioners will vote not to recommend the judge for retention. Included below is the Mid-Level Report.

### Content Links

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## Evaluation Report

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### Introduction

Judge Trent Nelson's report consists of 45 interviews conducted on two days outside of his courtroom. The interview sample consists of court staff, attorneys, litigants, and the family members and friends of litigants. Court staff may include clerks, bailiffs, interpreters, and service providers.

### Overall Assessment

Judge Nelson received positive reviews from nearly all respondents. Respondents find the judge to be welcoming and kind, who tries to motivate litigants to do better. Judge Nelson cares about the various situations in which courtroom participants find themselves and does what he can to work with them. Respondents further identify the judge as consistent and adhering to procedure.

### Widely Agreed-Upon Themes

Respondents value Judge Nelson's "courteous" demeanor and "respectful" actions from the bench. One litigant remarked that the judge had a "welcoming presence," while others found him to be "kind," "reasonable," and "friendly," but also "stern" when necessary. Judge Nelson "motivates" people and helps them to "make things right." According to a family member/friend of a litigant, the judge "tries to meet [litigants] on a fair playing field and tries to motivate them to get back on track." According to a family member/friend of a different party, "he gives people a chance to fix issues. He's compassionate." One litigant described Judge Nelson to be "beyond fair," offering that on a scale of 1 to 10 she would rate him as a fifteen. Another felt that the judge gave her a "fair shake," even though he found her guilty, and she had to pay a fine.

Numerous respondents expressed gratitude that Judge Nelson was "willing to work with people." In particular, they commented that Judge Nelson "cares" and is "understanding" of the various situations that courtroom participants find themselves. One litigant noted that Judge Nelson "cares about the situations that you're in," while another appreciated that he "took into account my current situation," yet another stated, "Judge was completely understanding of my family situation," finally adding, "on a scale of 1 to 10, I'd give him an eleven."

### Other Observations

- Five respondents touched on Judge Nelson's careful manner and adherence to procedure. One remarked, "He took his time," while another emphasized, "Procedurally, he's great." Comparing him to other judges, another added, "I like how he does things. He does what he's supposed to do."
- Three commented favorably concerning the judge's consistency. One stated, "He's pretty consistent with sentencing," while another added, "Other people had [the] same charges as me and we all got the same decisions."

### Anomalous Comments

Three respondents expressed varied criticism regarding the judge's lack of sensitivity to certain situations and/or charges of courtroom participants.



## Evaluation Report

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- One indicated that there are certain charges that “push his [Judge Nelson] buttons, and he is not fair with them.” Questioning the judge’s neutrality in dealing with these particular charges, this person further stated, “He takes these matters personal. He treats those people as if they have offended him.”
- The second indicated that Judge Nelson was “understanding” on that particular day but had treated her poorly in her prior appearance. Before, the judge reportedly would have put her in jail if it were not for the prosecutor. She felt that the judge was not sensitive to her personal circumstances at that time.
- The third felt that the judge “works with people, but he could work a little bit more.” For example, reflecting on his appearance before the judge, this person stated, “If I can show proof, maybe he could request a bit more information from me.”



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### Procedural Fairness Results

The judge must demonstrate by the totality of the circumstances that the judge's conduct in court promotes procedural fairness for court participants at a level commensurate with the other scored standards.

**Table A. Overall Procedural Fairness Determination**

Category	Judge Nelson
Procedural Fairness	Pass

To determine whether the judge passes the procedural fairness standard, the Commission considers only data collected as part of the performance evaluation, which includes, but is not limited to:

- The Mid-Level Evaluation
- The judge's disciplinary record



## Mid-Level Interview Method

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### Purpose

Mid-level Justice Court interviews are designed to evaluate the judge according to principles of procedural fairness. These interviews are generally conducted outside of the judge's court with people who have just exited the courtroom. The interviewer typically spends two to three days at the courthouse collecting interviews.

### Data Collection

The interviewer approaches court participants who exit the courtroom to conduct brief interviews. Potential respondents may be litigants, family or friends of litigants, attorneys, witnesses, court interpreters, and/or service providers. The total number of people interviewed per judge depends on when the interviewer reaches the point of data saturation. In other words, once the interviewer obtains no new additional information concerning a judge's performance, data saturation is achieved, and the interviewer then seeks no further interviews.

The interviewer makes contact with the interviewee, identifies his/her role with JPEC, and briefly explains the purpose of the interview. Upon receiving permission to proceed, the interviewer asks the respondent the following question, "How well did the judge do today at treating everyone fairly?" The interviewer listens to and jots down the response. Where necessary, the interviewer seeks to clarify details of the response, or asks the respondent for more information. A typical follow-up question probes what the judge did or said to induce such reactions from the respondent. In other words, the interviewer seeks to gather information that focuses on the behaviors of the judge. After all of the information has been collected, the interviewer thanks the respondent and waits for the next interview. The duration of the average interview is about one minute long.

Court clerks and bailiffs are typically interviewed during breaks from the courtroom proceedings or after proceedings have finished for the day. Interviews with clerks are usually conducted in an office, or other private setting in the courthouse, or by telephone. The number of clerks and bailiffs interviewed for a particular judge depends on the administrative makeup of the particular court(s).

### Data Analysis

Once the interviews are complete, the interviewer evaluates the data according to procedural fairness criteria. The interviewer analyzes interview content according to the procedural fairness principles of respect, neutrality, and voice. The results are organized into a report with four distinct overview sections:

- The Overall Assessment section serves as an overall summary of the entire set of respondent comments.
- The Widely Agreed-Upon Themes section discusses the most frequently noted and forcefully expressed themes in the data.
- The Other Observations section addresses behaviors noted by a roughly three to five respondents. Not every behavior reported by a minority of observers is summarized here but, rather, those that reflect a notable or somewhat inconsistent perspective upon which there was not wide agreement.
- Finally, an Anomalous Comments section addresses comments of one or two observers that reflect a markedly different or contradictory perspective from all other respondents. The purpose



## Mid-Level Interview Method

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of this section is to stimulate reflection pertaining to the relationship between behaviors, situational contexts, and respondent perceptions. Not every anomalous comment is included in this section because they are either too minor, or appear to reflect something about the respondent rather than the judge.

During the retention cycle, the Commission determines if the judge receives a Pass or Fail regarding the minimum performance standard of procedural fairness. The commission considers only data collected as part of the judge's performance evaluation. The judge's evaluation must demonstrate by the totality of the circumstances that the judge's conduct in court promotes procedural fairness for court participants at a level commensurate with the scored standards for full evaluation judges.



# Justice Court – Mid-Level Evaluation\*

Visit [JUDGES.UTAH.GOV](https://judges.utah.gov) for more information about this judge



## Honorable Trent Nelson

- Serving Roy/Weber County Justice Court
- Commission Recommendation: **Retain**
- Commission Vote Count: 13 - 0 (for retention)
- Performance Standards: Passed 5 of 5

Judge Trent Nelson receives positive reviews from nearly all respondents. Respondents find the judge to be welcoming and kind, someone who tries to motivate litigants to do better. They say Judge Nelson cares about the various situations in which courtroom participants find themselves and does what he can to work with them. Respondents further identify the judge as consistent and adhering to procedure. This judge meets discipline standards set by statute and has been certified by the Judicial Council as meeting all time standards, education requirements, and mental and physical competence standards.

Judge Trent Nelson was appointed to the Roy/Weber County Justice Court in February 2017, serving the communities of Roy City, unincorporated Weber County, West Haven City, and Hooper City. In December 2019, he was also appointed to the Harrisville City Justice Court. He is the presiding judge for the justice courts of the Second Judicial District (Weber, Davis, and Morgan counties). He earned a Bachelor of Economics from Weber State University, a law degree from Brigham Young University, and an MBA from Utah State University. As a lawyer, Judge Nelson was the prosecutor for Roy City, and had a private practice focused on juvenile law, family law, and estate planning. He serves on the following committees: the Utah Supreme Court's Advisory Committee for Rules of Professional Conduct; the Child Welfare Improvement Committee (DCFS); the Weber County Subcommittee of Utah's Committee on Disproportionate Minority Contact; the Special Education Advisory Panel (State Board of Education); and the Judicial Council's Ethics Advisory Committee.

\*See Judges Section Introduction for Justice Court Information

