

DIGEST OF A PERFORMANCE AUDIT OF THE OFFICE OF THE COURT ADMINISTRATOR

Our review of the Office of the Court Administrator determined that the agency is meeting the requirements of the sunset statute and should be reauthorized. In addition, our review disclosed some personnel policies which need attention and some alternatives to locating all court entities in the proposed Salt Lake Courts Complex.

As required by statute, the Office of the Court Administrator (OCA) supports the Chief Justice of the Supreme Court in his out- of-court roles as presiding officer of the Judicial Council (the judiciary's rule-making body) and manager of the state courts. The Utah Constitution establishes the Judicial Council as the state's judicial rule-making body and designates the chief justice as the council's presiding officer and the court's chief administrative officer, requiring him to implement the council's rules. Utah Code 78-3-21(3) also makes the chief justice responsible for implementing the council's policies and for managing the courts, with the aid of the administrator. To aid the chief justice in carrying out his duties, the court administrator provides all court facilities and equipment, operates a central staff office, and provides all non- judicial court staff for the state courts.

This audit was requested by the Legislature's Judiciary Interim Study Committee as a result of the requirements of the Utah Sunset Act Utah Code 63-55. In addition, the committee directed that the audit include a review of growth in agency staffing levels, and consideration of feasible alternatives to the proposed Salt Lake Courts Complex.

The following summaries identify the most significant findings and conclusions of the audit:

Agency Should Be Reauthorized. The Office of the Court Administrator is providing a public service and should be reauthorized. The agency is serving a public purpose in supporting the Judicial Council and the chief justice of the Supreme Court in their respective roles of rule-making and administering the state courts. Also, all other states have found a court administrators office necessary.

Some Personnel Policy Matters Need Attention. Our review found the increase that has occurred in court positions since 1984 was reasonable, but some personnel policy matters need attention. The OCA needs to implement periodic reconciliation of all leave taken by exempt employees to avoid the possibility of leave reporting abuses, and the court administrator needs to adhere to the court's conflict of interest policy. We found the court hiring practices to be acceptable.

Alternatives Exist to the Salt Lake Courts Complex, as Proposed. While neither

supporting nor opposing the construction of the proposed Salt Lake Courts Complex, we found no feasible alternative to having one facility house all the trial courts. However, cost savings may be possible by locating other intended occupants elsewhere and reducing the amount of trial court space, a reduction possible under House Bill 436 (1991 General Session). These cost-saving alternatives are recommended for thorough consideration during the programming phase of the proposed court complex.