

Representative Jack A. Seitz proposes the following substitute bill:

**PAYMENT FOR BAILIFF AND OTHER
SERVICES IN COURTS OF RECORD**

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Jack A. Seitz

This act modifies the County Code by requiring the state court administrator to contract with the county sheriffs for providing bailiffs and building security officers in the juvenile courts. The act phases in state reimbursement for the cost of the contracts.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

17-22-27, as last amended by Chapter 282, Laws of Utah 1998

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

Section 1. Section **17-22-27** is amended to read:

17-22-27. Sheriff -- Assignment of court bailiffs -- Contract and costs.

(1) The sheriff shall assign law enforcement officers or special function officers, as defined under Sections 53-13-103 and 53-13-105, to serve as court bailiffs and security officers in the courts of record and county justice courts as required by the rules of the Judicial Council.

(2) (a) The state court administrator shall enter into a contract with the county sheriff for bailiffs and building security officers for the district courts within the county. The contract shall not exceed amounts appropriated by the Legislature for that purpose. The county shall assume costs related to security administration, supervision, travel, equipment, and training of bailiffs.

(b) The state court administrator shall enter into a contract with the county sheriff for bailiffs and building security officers for the juvenile courts within the county. The contract shall not exceed amounts appropriated by the Legislature for that purpose. The county shall assume costs related to security administration, supervision, travel, equipment, and training of bailiffs.



26 The state court administrator shall annually calculate the estimated total cost of providing bailiffs
27 and building security officers in the juvenile courts and shall request an appropriation in its budget
28 requests submitted as required by Section 63-38-2 for an amount equal to:

29 (i) 25% of the estimated total annual cost of providing bailiffs and building security
30 officers in the juvenile courts for fiscal year 2004;

31 (ii) 50% of the estimated total annual cost of providing bailiffs and building security
32 officers in the juvenile courts for fiscal year 2005;

33 (iii) 75% of the estimated total annual cost of providing bailiffs and building security
34 officers in the juvenile courts for fiscal year 2006; and

35 (iv) 100% of the estimated total annual cost of providing bailiffs and building security
36 officers in the juvenile courts for fiscal year 2007.

37 ~~(b)~~ (c) The ~~contract~~ contracts under Subsections (2)(a) and (b) shall specify the agreed
38 services, costs of services, and terms of payment.

39 ~~(c)~~ (d) If the court is located in the same facility as a state or local law enforcement
40 agency and the county sheriff's office is not in close proximity to the court, the State Court
41 Administrator in consultation with the sheriff may enter into a contract with the state or local law
42 enforcement agency for bailiff and security services subject to meeting all other requirements of
43 this section. If the services are provided by another agency, the county sheriff shall have no
44 responsibility for the services under this section.

45 (3) (a) At the request of the court, the sheriff may appoint as a law clerk bailiff graduates
46 of a law school accredited by the American Bar Association to provide security and legal research
47 assistance. Any law clerk who is also a bailiff shall meet the requirements of Subsection (1) of this
48 section.

49 (b) The sheriff may appoint a law clerk bailiff by contract for a period not to exceed two
50 years, who shall be exempt from the deputy sheriff merit service commission.