

Justice Court Reform Task Force

UTAH JUDICIAL COUNCIL • UTAH SUPREME COURT

Judge Paul Farr, *Chair*

Jim Peters, *State Justice Court Administrator*

Michael Drechsel, *Assistant State Court Administrator*

TASK FORCE MEMBERSHIP

Justice Courts

Judge Paul Farr (CHAIR)
Third District Justice Court – Sandy, Herriman, Alta

Justice Courts

Judge Brent Dunlap
Fifth District Justice Court – Cedar City, Parowan

Board of Justice Court Judges

Judge Brian Brower
Second District Justice Court – Sunset, Clearfield, Morgan

Utah Supreme Court

Paul Burke
Advisory Committee on Rules of Appellate Procedure

Utah Court of Appeals

Judge Ryan Harris
Court of Appeals

District Courts

Judge Roger Griffin
Fourth District Court – American Fork

Utah State Senate

Senator Kirk Cullimore
Senate District 9

Utah House of Representatives

Representative Craig Hall
House District 33

Utah League of Cities & Towns

Roger Tew
Senior Policy Advisor

Utah Association of Counties

Commissioner Jerry Taylor
Garfield County Commissioner

Civil Attorneys

George Sutton
Jones Waldo

Governor's Office

Ron Gordon
General Counsel

Comm. Criminal & Juvenile Justice

Kim Cordova, Executive Director
Joanna Landau, Director – Office of Indigent Defense Services

Defense Attorneys

Ann Marie Taliaferro
Utah Assoc. of Criminal Defense Lawyers

Prosecutors

Ryan Robinson
Statewide Association of Prosecutors

Prosecutors

Anna Anderson
Salt Lake District Attorney's Office

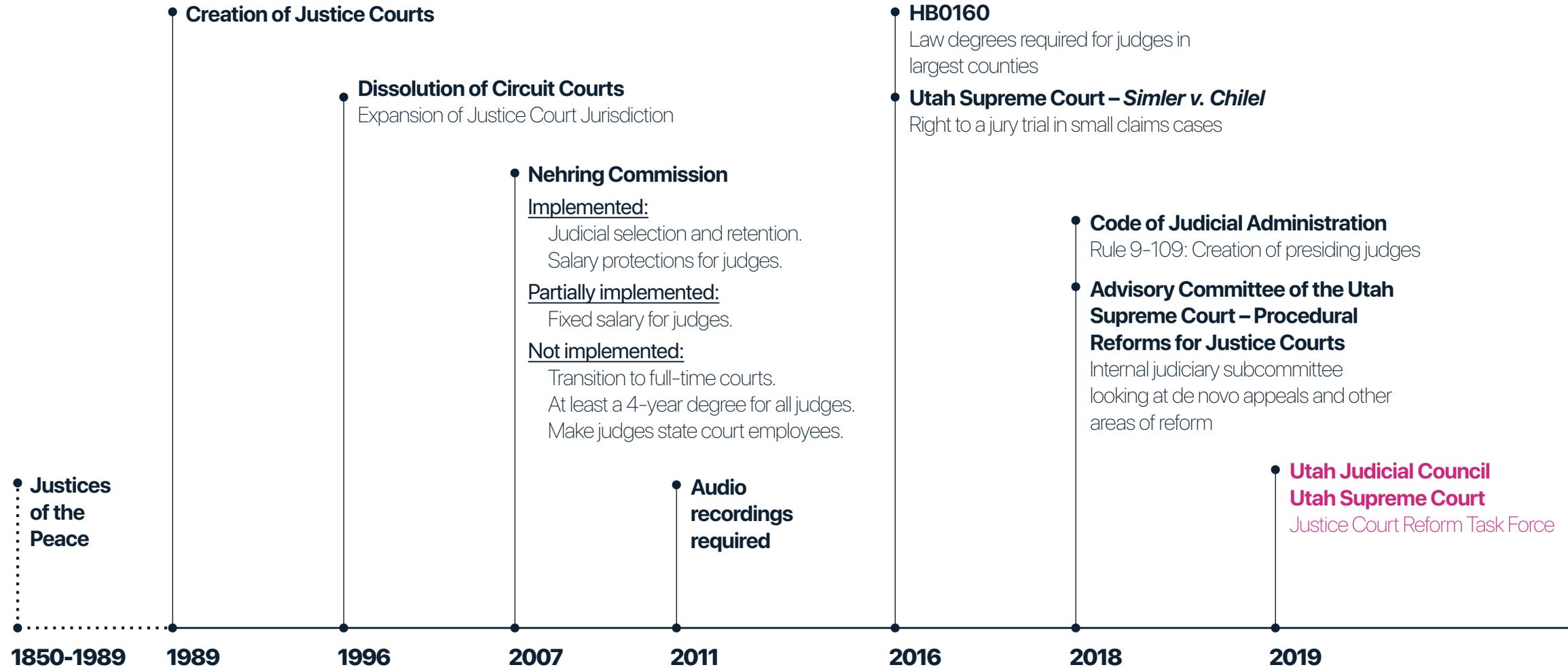
Task Force Staff:

Jim Peters
Justice Court Administrator

Cathy Dupont
Deputy State Court Administrator

Michael Drechsel
Assistant State Court Administrator

EVOLUTION OF JUSTICE COURTS



JUSTICE COURT APPEALS

Elimination of de novo appeals in favor of an on-the-record appeal requires changing justice courts to "courts of record"

Then the following apply:

Utah Constitution, Art. VIII, Sec. 1:

"Courts not of record shall also be established by statute."

Either a constitutional amendment would be required to eliminate this requirement, or some type of tiered system would be required where some cases (misdemeanors and small claims, for example) would be heard "on-the-record," while other cases (traffic and infraction) would not.

Utah Constitution, Art. VIII, Sec. 8:

The governor fills appointments on courts of record.

Utah Constitution, Art. VIII, Sec. 7:

All judges of courts of record shall be admitted to practice law.

Utah Constitution Art. VIII, Sec. 10:

Judges of courts of record may not practice law, which essentially requires full-time judicial positions.

REFORM PROPOSALS (to date)

CONFERENCE OF STATE COURT ADMINISTRATORS

Law degree for all judges

On-the-record appeals

Independent appointment process (already implemented)

Court Governance (bring justice courts under the AOC)

TASK FORCE MEMBERS

Small claims online dispute resolution

Small claims jurisdiction (geographic and subject matter)

Collection of racial statistics

Pretrial release practices

Fine and sentencing practices

Indigent defense practices

BOARD OF JUSTICE COURT JUDGES

On-the-record appeal

Law degree for all judges

Expand jurisdiction to include Class A's

Remove geographic restriction for application

Transition to all full-time judges

Established a fixed salary for judges

More fully utilize magistrate capacity

Bring justice courts under the AOC umbrella

Utah Code to clarify justice courts are part of the state judiciary

Standardize budget and budget process

Consolidate part-time clerical positions

Evaluate best structure to accommodate these recommendations

TASK FORCE NEXT STEPS

- Receive and consider additional proposals and feedback
- Aggregate and study relevant data
- Prepare report and recommendations for future action
- Future task force meetings:

Task force meetings are scheduled each month through May 2021.
The schedule is available on the committee website below.

To learn more visit <http://www.utcourts.gov/utc/jc-reform/>
or email justicecourttaskforce@utcourts.gov