

# HB366: Judicial Cases Distribution Amendments

Sponsor: Rep. Teuscher; Floor Sponsor Sen. Brammer

## BACKGROUND

Utah municipal courts handle lower-level cases arising from cities, such as traffic violations, city ordinance violations, and Class B and C misdemeanors. However, if a defendant appeals their case, the appeal will be heard in a district court. Some cities also choose to directly file class A misdemeanors in a district court.

For much of Utah's history, appeals from municipal courts were scheduled in district court on a single day, in a single place, before a single judge. Recently, district courts have stopped using this practice, leading to confusion and difficulties for both city prosecutors, victims, and defendants.



City prosecutors now have many cases scheduled in different places and in front of different judges. These cases often overlap or make it impossible for them to attend to them all. For defendants and victims, their cases are often routed to cases far from their homes, making attending these hearings burdensome.

## WHAT THE BILL DOES

- ✓ Clearly defines a “municipal case” as a criminal case that is filed in a district court by a city attorney on behalf of a municipality, appealed or transferred from a municipal court to a district court.
- ✓ Requires the presiding judge of each district to assign at least one district court judge to hear a city's municipal cases and limit this assignment to no more than one judge for every 500 municipal cases per city per year.
- ✓ Requires that municipal cases be heard in the closest possible district court location to the city's principal office, based on driving distance. However, this requirement has an exception if the presiding judge finds good cause for the municipal case to be heard in a different location.

## WHY THIS MATTERS

- ✓ Clarifies which cases the new rules established in this bill will apply to
- ✓ Promotes efficiency by preventing municipal cases from being scattered across many judges.
- ✓ Promotes consistency since municipal cases are handled by a manageable number of judges who are familiar with the city's cases and procedures
- ✓ Reduces travel burdens for defendants, city attorneys, witnesses, and law enforcement
- ✓ Allows for flexibility by creating an option for a case to be sent to another court if necessary