

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

3                                   2002 GENERAL SESSION  
4                                   STATE OF UTAH

5                                   **Sponsor: Jack A. Seitz**

6   **This act modifies the County Code by expanding the courts that are covered by contracts**  
7   **between the state and court administrator and county sheriffs pertaining to the costs of**  
8   **providing bailiffs and building security officers.**

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

10  AMENDS:

11           **17-22-27**, as last amended by Chapter 282, Laws of Utah 1998

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

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

14           **17-22-27. Sheriff -- Assignment of court bailiffs -- Contract and costs.**

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

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

23           (b) The contract shall specify the agreed services, costs of services, and terms of payment.

24           (c) If the court is located in the same facility as a state or local law enforcement agency  
25   and the county sheriff's office is not in close proximity to the court, the State Court Administrator  
26   in consultation with the sheriff may enter into a contract with the state or local law enforcement  
27   agency for bailiff and security services subject to meeting all other requirements of this section.



28 If the services are provided by another agency, the county sheriff shall have no responsibility for  
29 the services under this section.

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

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

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**Legislative Review Note**  
**as of 11-29-01 3:23 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**