

1 **AMENDMENTS TO JUSTICE COURT**

2 **OPERATIONS**

3 2004 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Ed P. Mayne**

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7 **LONG TITLE**

8 **General Description:**

9 This bill allows municipal and county justice courts to operate four days per week with  
10 expanded hours.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ allows municipal and county justice courts to be open to transact judicial business  
14 for no less than four days per week for at least 11 hours per day.

15 **Monies Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **78-5-108**, as enacted by Chapter 157, Laws of Utah 1989

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

24 Section 1. Section **78-5-108** is amended to read:

25 **78-5-108. Trial facilities -- Hours of business.**

26 (1) A justice court judge shall conduct all official court business in a courtroom or  
27 office located in a public facility which is conducive and appropriate to the administration of



28 justice.

29 (2) Each county, city, or town shall provide adequate courtroom and auxiliary space for  
30 the justice court. The facility need not be specifically constructed for or allocated solely for the  
31 justice court if existing facilities adequately serve the purposes of the justice court.

32 (3) ~~§ [f] County [h] [Notwithstanding Subsection 78-3-24(10), county]~~ ~~§~~ and municipal  
32a justice

33 courts shall be open and judicial business shall be transacted ~~[every day except as provided by~~  
34 ~~law including the provisions of Section 78-3-24 regarding court administration.]~~:

35 (a) five days per week; or

36 (b) no less than four days per week for at least 11 hours per day.

37 **§ (4) THE LEGISLATIVE BODY OF THE COUNTY, CITY, OR TOWN SHALL ESTABLISH**  
37a **OPERATING HOURS FOR THE JUSTICE COURTS WITHIN THE REQUIREMENTS OF SUBSECTION (3)**  
37b1 **§ AND THE CODE OF JUDICIAL ADMINISTRATION §** .

37b ~~[(4)]~~ **(5)** § The hours the courts are open shall be posted conspicuously at the courts and in  
38 local public buildings. ~~[The judges of county and municipal courts shall attend the court at~~  
39 ~~regularly scheduled times.]~~

40 ~~§ [(5)]~~ **(6)** § The clerk of the court and judges of county and municipal courts shall attend the  
41 court at regularly scheduled times ~~§~~ **§ AS ESTABLISHED BY THE LEGISLATIVE BODY** ~~§~~ .

**Legislative Review Note**  
as of 2-4-04 11:28 AM

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

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number SB0219**

**Amendments to Justice Court Operations**

*10-Feb-04*

*12:25 PM*

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**State Impact**

It is estimated that provisions of this bill can be handled within existing budgets.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**