

1 **JUSTICE COURT OPERATIONS AMENDMENTS**

2 2005 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Ed Mayne**

5

LONG TITLE

6 **General Description:**

7 This bill allows municipal and county justice courts to operate four days per week with
8 extended hours of operation.

9 **Highlighted Provisions:**

10 This bill:

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

13 **Monies Appropriated in this Bill:**

14 None

15 **Other Special Clauses:**

16 None

17 **Utah Code Sections Affected:**

18 AMENDS:

19 **78-5-108**, as last amended by Chapter 245, Laws of Utah 2004

20

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

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

22 **78-5-108. Trial facilities -- Hours of business.**

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



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

31 (3) County and municipal justice courts shall be open and judicial business shall be
32 transacted:

33 (a) five days per week; or

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

35 (4) ~~[The]~~ Notwithstanding Subsection 78-3-24(10), the legislative body of the county,
36 city, or town shall establish operating hours for the justice courts within the requirements of
37 Subsection (3) ~~[and the code of judicial administration]~~.

38 (5) The hours the courts are open shall be posted conspicuously at the courts and in
39 local public buildings.

40 (6) The clerk of the court and judges of county and municipal courts shall attend the
41 court at regularly scheduled times.

Legislative Review Note

as of 1-20-05 5:08 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SB0136

Justice Court Operations Amendments

28-Jan-05

10:13 AM

State Impact

No state fiscal impact. Any local fiscal impact will depend on the decisions of the local legislative body.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst