

JUDICIAL ADMINISTRATION AMENDMENTS

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott K. Jenkins

House Sponsor: Curtis Oda

LONG TITLE

General Description:

This bill creates a procedure to implement a judicial hiring freeze.

Highlighted Provisions:

This bill:

▶ allows a judicial hiring freeze to be implemented during a General Fund deficit for the juvenile court, district court, appellate court, or any combination of these courts;

and

▶ specifies that a judicial hiring freeze shall be established for a specified period of time.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

78A-2-113, Utah Code Annotated 1953

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

Section 1. Section **78A-2-113** is enacted to read:

78A-2-113. Judicial hiring freeze authorized.



28 (1) As used in this section, "General Fund budget deficit" means a situation where
29 General Fund appropriations made by the Legislature for a fiscal year exceed the estimated
30 revenues adopted by the Executive Appropriations Committee of the Legislature for the
31 General Fund in that fiscal year.

32 (2) During a General Fund budget deficit, the governor, president of the Senate,
33 speaker of the House, and chief justice of the Supreme Court, may, by ~~S~~→ [majority] unanimous ←~~S~~
33a vote,

34 implement a judicial hiring freeze for judicial vacancies for ~~S~~→ [the entire] ←~~S~~ :

35 (a) ~~S~~→ a ←~~S~~ juvenile court ~~S~~→ district with three or more juvenile court judges ←~~S~~ ;

36 (b) ~~S~~→ a ←~~S~~ district court ~~S~~→ district with three or more district court judges ←~~S~~ ;

37 (c) ~~S~~→ all ←~~S~~ appellate court ~~S~~→ judges ←~~S~~ ; or

38 (d) any combination of Subsections (2)(a) through (c).

39 (3) In implementing a judicial hiring freeze, the governor, president of the Senate,
40 speaker of the House, and chief justice of the Supreme Court shall:

41 (a) establish the length of that hiring freeze; and

42 (b) ensure that the hiring freeze lasts at least 90 days, but not longer than the last day of
43 the annual general session of the Legislature.

Legislative Review Note
as of 2-9-10 10:38 AM

Office of Legislative Research and General Counsel