

Representative Curtis Oda proposes the following substitute bill:

RETENTION ELECTIONS FOR JUSTICE COURT JUDGES

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis Oda

Senate Sponsor: _____

LONG TITLE

General Description:

This bill allows justice court judges to be evaluated for the ~~H~~→ 2012, 2014, and ←~~H~~ 2016 retention election under two different standards.

Highlighted Provisions:

This bill:

▶ for the ~~H~~→ 2012, 2014, and ←~~H~~ 2016 retention ~~H~~→ [election] elections ←~~H~~ only, authorizes the Judicial Performance Evaluation Commission to evaluate justice court judges under two different standards by allowing:

- justice court judges who are employed part-time on July 1, 2012 to be evaluated by the criteria established before the Judicial Performance Evaluation Commission was established; and
- justice court judges who are employed full-time on July 1, 2012 to be evaluated by the new criteria established when the Judicial Performance Evaluation Commission was created.

Money Appropriated in this Bill:

None

Other Special Clauses:

None



88 (5) Once selected, the Judicial Council shall certify the judge as qualified to hold office
89 upon successful completion of the orientation program.

90 (6) The selection of a person to fill the office of justice court judge is effective upon
91 certification of the judge by the Judicial Council. A justice court judge may not perform
92 judicial duties until certified by the Judicial Council.

93 (7) Upon the expiration of a justice court judge's term of office, the judge shall be
94 subject to an unopposed retention election in the county or counties in which the court to which
95 the judge is appointed is located, in accordance with the procedures set forth in Section
96 20A-12-201.

97 (8) Before each retention election, each justice court judge shall be evaluated in
98 accordance with the performance evaluation program established in [~~Subsection 78A-2-104(5)~~]
99 Title 78A, Chapter 12, Judicial Performance Evaluation Commission Act.

100 (9) Notwithstanding Subsection (8), each justice court judge who is subject to a
101 retention election in ~~H~~→ 2012, 2014, and ←~~H~~ 2016, and who is not a full-time justice court
101a judge on July 1, 2012, shall

102 be evaluated by the Judicial Performance Evaluation Commission according to the following
103 performance standards:

104 (a) have no less than 30 annual hours of continuing legal education for each year of the
105 justice court judge's current term;

106 (b) have no more than one public reprimand issued by the Judicial Conduct
107 Commission or the Supreme Court during the justice court judge's current term; and

108 (c) have no cases under advisement for more than two months.