

1 **Rule 3-303. Justice court ~~clerks~~ staff and local government employees serving in the**
2 **justice courts.**

3 **Intent:**

4 To provide for ~~clerical services~~ court staff who, under the direction of the justice court judge, are
5 primarily responsible for operating the in-justice courts, and to establish uniform responsibilities
6 for justice court clerks ~~a process for deputizing local government employees who may assist the~~
7 justice courts on a limited basis, and to provide access to financial data for counties and
8 municipalities that operate a justice court.

9 **Applicability:**

10 This rule ~~shall~~ applies to all justice courts.

11 **Statement of the Rule:**

12 (1) Counties and municipalities are responsible for bearing the expense of providing staff to the
13 justice courts located within their jurisdictions. Such services must be provided by no fewer than
14 the number of full-time employees required by the Council's certification standards. Additional
15 support may be provided as set forth in paragraph (3) below.

16 **(2) Court Staff.**

17 (2)(A) ~~Clerks Staff shall must~~ be provided to each justice court to assist the judge in
18 managing the operation of the courts. ~~The clerk Staff shall will~~ have primary
19 responsibility for performing ~~clerical~~ the following duties ~~including~~:

20 (42)(A)(i) recordkeeping;

21 (42)(B)(ii) filing reports;

22 (42)(C)(iii) scheduling hearings and trials;

23 (42)(D)(iv) mailing notices;

24 (42)(E)(v) maintaining case files;

25 (42)(F)(vi) collecting fines;

26 (42)(G)(vii) docketing cases;

27 (42)(H)(viii) taking and certifying acknowledgments and administering oaths; and

28 (42)(I)(ix) other court-~~r~~-related duties as assigned.

29 (2)(B) The judge ~~shall must~~ concur in the appointment of ~~the clerk~~ all court staff assigned

30 to serve the court and ~~shall may~~ participate in the personnel evaluation process for ~~that~~
31 ~~clerk~~ court staff, at the judge's discretion.

32 **(3) Local Government Employees.**

33 **(3)(A) Deputized Employees.**

34 (3)(A)(i) In addition to the staff described in paragraph (2) above, a justice court
35 judge with fewer than three full-time staff may, with the concurrence of the local

36 government executive and the Board of Justice Court Judges (Board), deputize
37 up to four local government employees to perform certain court-related duties on
38 a limited basis. The Board may authorize exceptions to this paragraph upon
39 request by the applicable justice court judge.

40 (3)(A)(ii) The responsibilities and authority of deputized local government
41 employees must be detailed in a standing order signed by the judge and
42 provided to the local government executive and the Administrative Office of the
43 Courts (AOC).

44 (3)(A)(iii) Deputized employees must be supervised by court staff in the
45 performance of court-related duties, but not for the performance of duties
46 unrelated to the court.

47 (3)(A)(iv) Counties and municipalities must cover the annual cost of the following
48 for each deputized employee:

49 (3)(A)(iv)(a) an email account on the utcourts.gov domain; and

50 (3)(A)(iv)(b) any training that may be required by the Board.

51 (3)(B) **Read-only Employees.** In addition to the court staff and deputized employees
52 described above, cities and counties may involve other employees in the justice court to
53 the extent that financial reports need to be reviewed and reconciled. Such employees
54 will be granted read-only access to review certain reports in CORIS once they have
55 completed the training required by the Board, signed a Memorandum of Understanding,
56 and submitted the same to the AOC.

57 ~~(34) If the clerk is~~ No court staff or deputized local government employee serving the court in a
58 part-time capacity, the clerk shall will not be assigned to other duties which present a conflict of
59 interest or promote an appearance of impropriety regarding court responsibilities. Both court
60 staff and deputized employees must adhere to separation of duties requirements set forth in
61 Section 01-06.00 of the Courts' Accounting Manual.

62 ~~(4) Counties and municipalities are responsible for bearing the expense of providing clerical~~
63 ~~services to the justice courts located within their jurisdictions.~~

64 (5) Court staff and deputized employees must take an oath that requires them to solemnly
65 swear and promise to support, obey and defend the Constitution of the United States of America
66 and the Constitution of the State of Utah, and to discharge the duties of their office with fidelity
67 to the best of their ability. The oath must be administered by the judge and be recorded on a
68 form provided by the AOC. A copy of the form must be provided to the AOC within one week
69 following an employee's first day with the court.

70 ~~(56) Each clerk~~ Court staff and local government employees who have been deputized pursuant
71 to paragraph (3)(A) above shall must be certified on an annual basis for the six months ending
72 June 30 and December 31 each year (each, a "certification period") by demonstrating
73 proficiency with the training required by the Board of Justice Court Judges. The Board may
74 consider a judge's request to waive one or more courses or extend a certification deadline for
75 good cause, provided the request is received at least three weeks prior to the end of the
76 applicable certification period. At the end of each certification period, access to CORIS will be

77 suspended for court staff and local government employees who are not current with training
78 requirements and who did not receive an extension from the Board. Access to CORIS will be
79 restored once any such user is current with the Board's requirements.

80 *Effective: ~~5/1/2022~~ May 1, 2025*