

JUDICIAL COUNCIL MEETING

AGENDA

Monday, July 16, 2012
Judicial Council Room
Matheson Courthouse
Salt Lake City, Utah

Chief Justice Matthew B. Durrant, Presiding

1. 9:00 a.m. Welcome & Approval of Minutes Chief Justice Matthew B. Durrant
(Tab 1 - Action)
2. 9:05 a.m. Chair's Report. Chief Justice Matthew B. Durrant
3. 9:15 a.m. Administrator's Report.Ray Wahl
4. 9:30 a.m. Reports: Management Committee. . . . Chief Justice Matthew B. Durrant
Liaison Committee.Justice Jill Parrish
Policy and PlanningJudge Greg Orme
Bar Commission.Lori Nelson, esq.
(Tab 2 - Information)
5. 9:40 a.m. Judicial Performance Evaluation Commission
(JPEC) Update. Joanne Slotnik
(Information)
6. 10:25 a.m. Education Advocacy Program Update. Mary Lucero
(Information)
- 10:45 a.m. Break
7. 10:55 a.m. Budget Plan Revision.Ray Wahl
(Action)
8. 11:05 a.m. Court Facilities Planning Committee Update. Judge L.A. Dever
(Tab 3 - Information) Alyn Lunceford
9. 11:25 a.m. Standing Committee on Technology Update. . . . Judge Carolyn McHugh
(Information) Ron Bowmaster
10. 11:45 a.m. Executive Session.

- 11. 12:10 p.m. Judicial Branch Education Committee Update. . . Judge Elizabeth Lindsley
(Tab 4 - Information) Tom Langhorne
- 12:30 p.m. Lunch
- 12. 1:00 p.m. Justice Court Dissolution – Springdale.Rick Schwermer
(Tab 5 – Action)
- 13. 1:15 p.m. Justice Court Dissolution – Clarkston Town. Rick Schwermer
(Tab 6 – Action)
- 14. 1:30 p.m. Justice Court Dissolution – Salt Lake County. Rick Schwermer
(Tab 7 – Action)
- 15. 1:45 p.m. Justice Court Dissolution – Davis County. Rick Schwermer
(Tab 8 – Action)
- 16. 2:00 p.m. Adjourn

Consent Calendar

The consent items in this section are approved without discussion if no objection has been raised with the Admin. Office (578-3806) or with a Council member by the scheduled Council meeting or with the Chair of the Council during the scheduled Council meeting.

- 1. Committee Appointment Tom Langhorne
(Tab 9)
- 2. State-Owned Phones Ray Wahl
(Tab 10)

TAB 1

JUDICIAL COUNCIL MEETING

Minutes
Monday, June 25, 2012
Council Room
Matheson Courthouse
Salt Lake City, UT

Chief Justice Matthew B. Durrant, Presiding

ATTENDEES:

Chief Justice Matthew B. Durrant
Hon. Kimberly K. Hornak, vice chair
Justice Jill Parrish
Hon. Judith Atherton
Hon. George Harmond
Hon. Paul Maughan
Hon. Brendan McCullagh
Hon. David Mortensen
Hon. Gregory Orme
Hon. John Sandberg
Hon. Larry Steele
Hon. Keith Stoney
Hon. Thomas Willmore
Lori Nelson, esq.

STAFF PRESENT:

Daniel J. Becker
Ray Wahl
Diane Abegglen
Lisa-Michele Church
Jody Gonzales
Debra Moore
Rick Schwermer
Tim Shea
Ron Bowmaster
Mary Jane Ciccarello
Neira Siapcras
Nancy Volmer
Michelle Wells-Jones
Alison Adams-Perlac

EXCUSED:

GUESTS:

Aaron Falk, SL Tribune
Emiley Morgan, Des News
Tessa Lopez, Intern
Russ Pearson, 8th District TCE
Polly Atwood, 7th Dist TCE
Judge David Miller

- 1. WELCOME AND APPROVAL OF MINUTES: (Chief Justice Matthew B. Durrant)**
Chief Justice Durrant welcomed everyone to the meeting.
He acknowledged the passing of Ms. Pat Bartholomew, the Supreme Court clerk of court.

Motion: It was moved and seconded to approve the minutes. It passed unanimously.

- 2. CHAIR'S REPORT: (Chief Justice Matthew B. Durrant)**
Chief Justice Durrant reported on the following:
He spoke at the Juvenile Court Conference held at Deer Valley at the end of May.

He also met with the Governor and discussed several matters, including the judicial appointment process.

3. ADMINISTRATOR'S REPORT: (Daniel J. Becker)

He reported on the following items:

Mr. Becker mentioned that an executive session would be needed at the end of the meeting.

Judge Sterling Sainsbury, Fourth District juvenile court judge, has announced his retirement effective December 1, 2012.

Formal notice has been received from the towns of Springdale, Rockville, and Virgin of their intent to dissolve their inter-local agreement with Hurricane. They are discussing the possibility of entering into an inter-local agreement with the Washington County Justice Court. This matter will be on the agenda for the July Council meeting.

The Salt Lake County Council passed a resolution last week beginning the process of closing their justice court. This action would require legislative approval as cases would be transferred to Third District Court. They are apparently exploring with several different cities the possibility of entering into an inter-local agreement.

The Rand Institute is undertaking a study on court financing and budgeting and the effects of the recession on courts across the country to include five states: 1) Utah 2) Florida, 3) Massachusetts, 4) New Hampshire, and 5) Ohio.

The Court Trends annual publication prepared by the National Center for State Courts (NCSC) was shared with the Council. Future issues emerging in the court administrative field are highlighted in the publication including an article on the transcript management process used by the Utah State courts.

A meeting was held with eight members of the South Carolina Administrative Office of the Courts on June 14 studying how we moved to an all digital recording environment, our automated transcript management system, and court interpretation initiatives.

4. COMMITTEE REPORTS:

Management Committee Report:

Chief Justice Durrant reported that the Management Committee meeting minutes accurately reflect the issues discussed. The items needing to be addressed by the Council have been placed on today's agenda.

Liaison Committee Report:

No meeting was held in June.

Policy and Planning Meeting:

Judge Orme provided the following report.

The Policy and Planning meeting minutes accurately reflect the issues discussed. The items needing to be addressed by the Council have been placed on today's agenda. He noted Rules Published for Comment on the consent calendar referring to amendments to Rule 2-204 – Local Supplemental Rules that would allow for the Council to approve rules on an expedited basis.

Bar Commission Report:

Ms. Nelson reported on the following:

The selection of the annual award recipients took place at the last meeting to include: 1) Judge of the Year, Judge Royal Hansen; 2) Lawyer of the Year, Mr. Gary Crane; and 3) a new award for Mentors of the Year, Mr. Josh Player (inside of firm) and Ms. Sharon Donovan (outside of firm).

The Bar Commission continues their work on getting the Pro Bono Commission in place.

5. MANDATORY E-FILING REPORT: (Ray Wahl)

Chief Justice Durrant welcomed Mr. Wahl to the meeting.

Mr. Wahl provided a report on mandatory e-filing as prepared by the Mandatory E-Filing Workgroup and authored by Mr. Shea.

He highlighted the following in his report: 1) the members of the workgroup, 2) the committee's charge to plan for the impact of e-filing and to assist the Council in setting an e-filing effective date, 3) redistribution of clerical resources, and 4) a summary of the recommendations.

Mr. Wahl noted that the report reflects what would take place in district court with the move to e-filing. A similar report will be provided for juvenile court in September.

He referred to the changes in work and work flow to include: 1) examples of tasks made simpler or significantly reduced due to electronic records, 2) examples of new tasks due to electronic records, and 3) examples of tasks with little or no change due to electronic records.

Mr. Wahl reviewed the recommendations on how to spend savings as the result of mandatory e-filing, in order of priority, to include: 1) redistribute personnel to meet new IT demands due to the electronic record, 2) redistribute personnel to emphasize judicial support teams and case management, 3) increase compensation to recognize increased judgment and discretion of personnel and increased complexity of tasks, 4) redistribute personnel to emphasize assistance for self-represented parties, and 5) explore opportunities of workflow that is not tied to a physical location.

The Mandatory E-Filing Workgroup will remain intact to address more specific issues relative to the implementation plan.

Mr. Becker mentioned the proposed rule developed by Policy and Planning, which will be reviewed later on the agenda. He noted that an effective date of January 1, 2013 had been included in the proposed rule. Mr. Becker recommended changing the effective date for mandatory e-filing of civil and domestic cases to April 1, 2013. He provided an explanation for this date. Mr. Becker indicated that the books have now been closed for FY 2012 and that more funds will be carried forward than earlier projected. He further recommended that mandatory e-filing of probate cases be effective July 1, 2013.

Court executives and presiding judges have been encouraged to meet with local bar members to discuss issues relative to the impending mandatory e-filing, and a booth will be staffed at the upcoming Annual Bar Conference.

A modification to the rule has been prepared by Mr. Shea with regards to the proposed effective dates and probate cases.

Mr. Becker noted that e-filing of criminal cases is still being pilot tested.

Motion: Ms. Nelson moved to accept the report on behalf of the Mandatory E-Filing Workgroup and endorse the priorities set by Workgroup in addressing the recommendations on how to spend the savings. Judge Mortensen seconded the motion, and it passed unanimously.

6. RULES FOR FINAL ACTION: (Tim Shea)

Mr. Shea reviewed the proposed rules for final action with members of the Council.

CJA 06-0401 – Domestic relations commissioners. The rule has been amended to recognize the authority of court commissioners to hear child protective order cases.

CJA 07-0102 – Duties and authority of juvenile court commissioners. The rule has been amended to recognize the authority of court commissioners to hear child protective order cases.

These amendments were requested by the Board of District Court Judges and the Board of Juvenile Court Judges. The amendment will conform the rule to the practice.

Motion: Judge Mortensen moved to approve the amendments as proposed effective today and send the rules out for comment. Judge Steele seconded the motion, and it passed unanimously.

Mr. Shea reported that the remainder of the rules for final action have been published for comment.

CJA 4-502. This rule has been deferred and will be redrafted at the next Policy and Planning meeting.

CJA 03-0301 – Court administrators.

CJA 03-0410 – Automated information resource management.

These rules have been amended to conform the text with the practice.

Motion: Ms. Nelson moved to approve the amendments to CJA 03-0301 and CJA 03-0410 effective November 1, 2012. Judge Stoney seconded the motion, and it passed unanimously.

CJA 04-0202.08 – Fees for records, information and services. This rule amendment prohibits the practice of email documents available on Xchange. Mr. Shea noted that the Self-Help Center is exempt from this rule.

Motion: Judge Orme moved to approve the amendments to Rule CJA 04-0202.08 as recommended. Judge Hornak seconded the motion, and it passed unanimously.

CJA 04-0501 – Expedited Jury Trial. The rule pertains to implementation of a pilot program for expedited jury trial. The amendment includes original and new legislation.

Motion: Judge Mortensen moved to approve the amendments to CJA 04-0501 as recommended with a July 1, 2012 effective date. The motion was seconded, and it passed unanimously.

CJA 04-0503 – Mandatory electronic filing. The rule would require that documents in district court cases be filed electronically.

Mr. Shea provided an amended document with the proposed effective date of April 1, 2013 for filing civil cases and July 1, 2013 for filing probate cases. Comments received were considered, but no further changes were made to the proposed rule. Discussion took place.

Motion: Judge Maughan moved to accept the changes to proposed Rule CJA 04-0503 and approve the rule as recommended with an effective date of July 1, 2012 for the rule to allow its immediate publication. This is distinct from the actual effective date for mandatory e-filing. Judge Mortensen seconded the motion, and it passed unanimously.

7. COURT INTERPRETER COMMITTEE UPDATE: (Judge Vernice Trease and Tim Shea)

Chief Justice Durrant welcomed Judge Trease to the meeting.

Judge Trease provided an update on behalf of the Court Interpreter Committee.

The Court Interpreter Committee recommended that Rule 3-306 governing interpreter qualifications be amended to permit awarding “approved” credentials only if there is no examination for the higher “certified” credentials in the interpreter’s language.

The difference between the two credentials is as follows: 1) certified – has completed an English diagnostic test, a test on the Interpreter Code of Professional Responsibility, a two-day orientation workshop, a background check and 10-hours of court observation; has completed a seven-day training course and passed a three-part oral examination offered through the National Center for State Courts; and 2) approved – has completed an English diagnostic test, a test on the Interpreter Code of Professional Responsibility, a one-day orientation workshop, a background check and 10 hours of court observation; has passed an Oral Proficiency Interview in the foreign language offered by Language Testing International.

Judge Trease reminded the Council that they approved the credentialing requirements for the court interpreters 18 months ago. She noted that the motion to amend the rule was not unanimously supported by the Committee. The Committee’s position was provided by Ms. Trease. Mr. Shea provided his opinion relative to the proposed amendment. Mr. Becker recommended that the Council not adopt the amendment to Rule 3-306. Discussion took place.

The two pilot programs were highlighted: 1) staff interpreter program, and 2) remote interpretation.

Motion: Judge Harmond moved to accept the report and send the proposed amendment for Rule 3-306 to Policy and Planning for further consideration. Judge Atherton seconded the motion, and it passed with Judge Steele voting no.

8. BOARD OF DISTRICT COURT JUDGES UPDATE: (Judge Kate Toomey and Debra Moore)

Chief Justice Durrant welcomed Judge Toomey and Ms. Moore to the meeting.

Judge Toomey provided an update to the Council on the activities of the Board of District Court judges. She highlighted the following in her update: 1) continued meetings with presiding judges to discuss local issues and initiatives, anticipated funding requests, and other areas of importance where the Board may assist the district; 2) the District Court Conference was held in May; 3) assist Judge Denise Lindberg and the advisory committee on the Model Utah Jury instructions in criminal cases; 4) continued supervision of the Capital Litigation Research Attorney, Melanie Haney; 5) continued work with the IT Department on computer issues and case management design; 6) participation with the JPEC Workgroup; 7) monitoring statewide implementation of the new Civil Discovery Rules; 8) fee waiver guidelines and procedures; 9) mental health conference to be held in Logan in July; and 10) revision of the statewide district court judges benchbook.

Judge Toomey was thanked for her update.

**9. STANDING COMMITTEE ON CHILDREN AND FAMILY LAW (SCCFL)
UPDATE: (Judge Doug Thomas and Ray Wahl)**

Chief Justice Durrant welcomed Judge Thomas to the meeting.

Judge Thomas provided an update to the Council on the Standing Committee on Children and Family Law's activities. He included the following in his update: 1) members of the Committee, 2) original committee charge including five reforms with their results and achievements noted, 3) reauthorization of the Committee by the Council in 2011; 4) listing of the four subcommittees – a) adoption, b) custody evaluations, c) divorce procedures, and d) juvenile court jurisdiction.

Juvenile Court Jurisdiction. The subcommittee was formed to address the matter where an adult was charged with a crime that occurred when they were a juvenile. Judge Lyman, subcommittee chair, has drafted proposed language which has been sent to Policy and Planning for further review. The subcommittee will review the matter further at their August meeting.

Divorce Procedures. The subcommittee has been addressing Rule 101 regarding the practice before court commissioners and Rule 109 which would implement standing orders upon filing of a divorce proceeding.

Custody Evaluation. Reviewing Rule 4-903 and working towards clarifying the language in rule and to compare with. Currently, the subcommittee is researching statutory wording regarding evaluations in other states.

Adoption. At the request of the Judicial Council, the subcommittee is studying issues relating to concurrent jurisdiction for termination of parental rights. The goal is to make the process in juvenile and district court similar. The differences between district court and juvenile court include: 1) no parental defense in district court, 2) different relinquishment procedures, 3) different appeal times, and 4) adoption related issues. It was noted that the majority of the recommendations have been agreed upon with the exception of the concurrent adoption issues. It was noted that both the Board of District Court Judges and Board of Juvenile Court Judges have been briefed on the issues surrounding concurrent jurisdiction. The subcommittee is asking the Council for direction in how to proceed with regards to concurrent jurisdiction for termination of parental rights. Questions were asked and discussion took place.

It was decided to discuss the matter of concurrent jurisdiction for termination of parental rights at the July Council meeting.

Ms. Moore introduced Ms. Tessa Lopez, Hinckley Institute Intern to the Council.

10. ECR PILOT PROGRAM UPDATE: (Judge Deno Himonas)

Chief Justice Durrant welcomed Judge Himonas to the meeting.

Judge Himonas provided an update on the progress of the ECR Pilot Program. He highlighted the following in his update: 1) the pilot program has been in operation for 1.5 years, 2) a study is being conducted by a group from the University of Utah to be completed by the end of December 2012, and 3) formation of a subcommittee to discuss matters related to the pilot program. It was noted that the pilot program is funded with a three-year grant.

Questions were asked with Judge Himonas providing explanations.

11. UPDATE AND RECOMMENDATIONS OF THE UNIFORM FINE AND BAIL COMMITTEE AND COMMITTEE REAUTHORIZATION: (Judge David Connors, Debra Moore and Lisa-Michele Church)

Chief Justice Durrant welcomed Judge Connors to the meeting.

Judge Connors provided an update to the Council on the work of the Uniform Fine and Bail Committee, and he reviewed the recommendations of the Uniform Fine and Bail Schedule on behalf of the Committee.

Judge Connors highlighted the following in his update: 1) review of 2012 legislative changes and recommendations of the Uniform Fine and Bail schedule 2) update of the traffic offense matrix, 3) update of DUI offenses matrix, 4) inclusion of the juvenile bail schedule for approval, and 4) request on behalf of the Committee to be reauthorized for an additional six years.

Chief Justice Durrant thanked Judge Connors for his report.

Motion: Judge McCullagh moved to accept the correction to the Uniform Fine and Bail Schedule as noted and approve the changes and recommendations as outlined by the Uniform Fine and Bail Committee which include the Juvenile Fine and Bail schedule. Judge Harmond seconded the motion, and it passed unanimously.

Motion: Judge Orme moved to reauthorize the Uniform Fine and Bail Committee for an additional six years. Judge McCullagh seconded the motion, and it passed unanimously.

12. MEDIA AND PORTABLE ELECTRONIC DEVICES RULES: (Tim Shea)

Mr. Shea reviewed the proposed rules allowing electronic media coverage and possession and use of portable electronic devices.

CJA 04-0401.01 – electronic media coverage of court proceedings. This is a new rule replacing 4-401 which permits electronic media coverage of any public court hearing. Policy and Planning included an amendment adding audio recording to the equipment that can be used for electronic media coverage.

CJA 04-0401.02 – Possession and use of portable electronic devices. This is a new rule which permits the possession and use of portable electronic devices in courthouses, and it allows the judge to restrict the use of portable electronic devices in courtrooms.

Discussion took place.

Motion: Judge Mortensen moved to approve Rules CJA 04-0401.01 and CJA 04-0401.02 and publish them for comment. Judge Maughan seconded the motion, and it passed unanimously.

The Study Committee on Technology Brought into the Courtroom was thanked for the work they did preparing their report to the Council. Mr. Shea was thanked for his work with the preparation of the proposed rules.

13. GUARDIANSHIP – COURT VOLUNTEER PROGRAM UPDATE: (Tim Shea)

Mr. Shea provided an update on adult guardianships and the Volunteer Court Visitor Program. The program is staffed with two program Coordinators: 1) Ms. Karolina Abuzyarova and 2) Ms. Michaelle Wells-Jones. The coordinators supervise the volunteer visitors. Mr. Shea

noted that Ms. Mary Jane Ciccarello was instrumental in the development of the program and Judge Harmond is a member of the steering committee and past chair of the ad hoc committee.

Mr. Shea highlighted the following in his update: 1) what does it mean to be an adult; 2) what does it mean to be an incapacitated adult; 3) what can the court do; 4) what are the consequences of a plenary guardianship; 5) what powers, rights, and duties does a parent have respecting a minor child; 6) what further powers, rights, and duties does a guardian have for an incapacitated adult; 7) deciding whether a person is incapacitated is a grave responsibility; 8) the purpose of guardianship; 9) the court's role; 10) review of problems in Utah relative to guardianship; and 11) how can a visitor help.

The program was developed to address the problems noted relative to guardianship of adults. Mr. Shea highlighted the following relative to the Volunteer Court Visitor Program: 1) at the end of the first year of a three-year SJI grant, 2) staff of two paid coordinators, 3) steering committee in place, 4) work products, 5) recruit, screen, and training of volunteers, 6) determination of the volunteer's role, 7) development of forms to aid in requesting and assigning a visitor, 8) development of visitor report forms, 9) public advertisement for visitor volunteers, and 10) orientation and training provided for the current program volunteers.

Mr. Shea included the following on future plans relative to the Volunteer Court Visitor Program: 1) review of the program, 2) prepare necessary legislation, 3) develop necessary rules, 4) development of a roster of pre-qualified attorneys to represent the respondents, 5) development of guardian's decision-making standards, 6) a more defined role of the volunteer visitor, 7) provide education for judges and their staffs, and 8) development of benchbook information relative to the program.

14. DEFINITION OF A "FULL-TIME" JUDGE: (Tim Shea)

A request for consideration of the "full-time" judge definition sent in by Justice Court Judge David Miller was distributed to members of the Council.

Mr. Shea reminded the Council that this matter was before the Council at their April meeting. The Council agreed to support the definition of a "full-time" judge in concept and refer it back to Policy and Planning to allow the Board of Justice Court judges time to respond and address specific changes as necessary and report back to the Council at their June meeting.

The rule defines a "full-time" judge as follows: a "full-time" judge includes any judge of a court of record and includes a judge of a court not of record who 1) serves in a court whose judicial weighted caseload measure, as approved by the Judicial Council, shows the need for at least 1.0 judges; or 2) serves in more than one court whose total judicial weighted caseload measure, as approved by the Judicial Council, shows the need for at least 1.0 judges. This rule applies to a judge appointed on or after (the effective date of this rule) on the day of his or her appointment, and to judges appointed before (the effective date of this rule) on January 2, 2017.

Discussion took place.

Motion: Judge Sandberg moved to accept the proposed rule and send it, on behalf of the Judicial Council, to the Supreme Court for approval. Judge Orme seconded the motion, and it passed with Judge Stoney voting no.

15. LEGISLATIVE UPDATE AND HIGHLIGHTS: (Rick Schwermer)

Mr. Schwermer provided a legislative update.

He mentioned that a Special Session was held on Wednesday, June 20. He noted that the Judiciary Interim Committee met. The following items were highlighted in his report: 1) discussion of HB 161 – Rights of Parents and Children which will carry over to the next meeting, 2) alimony and definition of fault, 3) offer of judgment in civil cases, and 4) e-filing of data and e-citations to be effective July 1, 2012 with creation of a bill file.

Motion: Judge Hornak moved to enter into an executive session to discuss a personnel matter. The motion was seconded, and it passed unanimously.

16. EXECUTIVE SESSION:

An executive session was held at this time.

17. ADJOURN

The meeting was adjourned.

TAB 2

**JUDICIAL COUNCIL MANAGEMENT COMMITTEE
MINUTES**

**Tuesday, July 10th, 2012
Matheson Courthouse
450 South State Street
Salt Lake City, Utah**

MEMBERS PRESENT:

Chief Justice Matthew B. Durrant, Chair
Hon. Kimberly K. Hornak, vice chair
Hon. Judith Atherton
Hon. George Harmond
Hon. John Sandberg

STAFF PRESENT:

Daniel J. Becker
Ray Wahl
Diane Abegglen
Lisa-Michele Church
Jody Gonzales
Debra Moore
Tim Shea
Tom Langhorne
Brent Johnson

EXCUSED:

GUESTS:

1. WELCOME AND APPROVAL OF MINUTES: (Chief Justice Matthew B. Durrant)

Chief Justice Durrant welcomed everyone to the meeting. After reviewing the minutes, the following motion was made:

Motion: Judge Harmond moved to approve the minutes. Judge Sandberg seconded the motion, and it passed unanimously.

2. ADMINISTRATOR'S REPORT: (Daniel J. Becker)

Mr. Becker reported on the following items:

The JPEC Workgroup is scheduled to meet at the conclusion of the Management Committee meeting. Mr. Becker has been unable to confirm Mr. Schofield's or JPEC's attendance at the meeting.

3. COMMITTEE APPOINTMENTS: (Tom Langhorne)

Mr. Langhorne was welcomed to the meeting.

He reported that the Board of District Court Judges has recommended the reappointment of Judge Christine Johnson to fulfill her second term on the Judicial Branch Education Committee, and the Committee is in agreement with the reappointment.

Motion: Judge Harmond moved to approve the recommendation as presented and place it on the July Judicial Council consent calendar. Judge Atherton seconded the motion, and it passed unanimously.

4. STATE-OWNED PHONES: (Ray Wahl)

Chief Justice Durrant welcomed Mr. Wahl to the meeting.

Mr. Wahl mentioned that the first part of the policy relative to Planners and Mobile Devices was approved by the Council at their June meeting.

The remainder of the policy deals with state-owned cell phones and personal cell phone reimbursement.

He highlighted the section relative to the approval process for state-owned phones to include: 1) upon approval of the court executive or deputy court administrator and subject to the availability of funds, the court will purchase or make available a cell phone for: a) presiding judges, b) judges and staff who routinely and frequently travel between court locations (no less than 20 miles one way), and/or; c) essential job related duties facilitated by mobile communications, and/or; d) safety reasons. Additionally, a change in travel duties, essential job functions or mitigation of safety concerns will also result in a reassignment of the cell phone to another user or deactivation. Included in the determination to issue a state-owned cell phone by the appropriate administrator will be factors such as travel distances, frequency of use, and legitimacy of the business need.

Other areas highlighted in the policy include: 1) downloading applications on smart phones, 2) rebate offer process, 3) abuse of a business cell phone by an employee, and 4) the policy on personal cell phone reimbursement.

Motion: Judge Sandberg moved to approve the State-Owned Phones Policy and place it on the July Judicial Council consent calendar. Judge Hornak seconded the motion, and it passed unanimously.

5. RECORDS APPEAL: (Brent Johnson)

Chief Justice Durrant welcomed Mr. Johnson to the meeting.

Mr. Johnson provided information on a records appeal by Mr. Corey Vonberg. He noted that Mr. Vonberg has been provided with all existing information. Discussion took place.

Mr. Johnson will draft a response for Mr. Becker's signature.

Motion: Judge Hornak moved to reply to Mr. Vonberg noting that his records request has been met and his appeal is denied. Judge Harmond seconded the motion, and it passed unanimously.

6. BUDGET PLAN REVISION: (Daniel J. Becker)

Mr. Becker reported on a request for additional funding in the amount of \$160,000 for contract programmer assistance relative to the electronic record project.

It has been determined that an additional \$234,000 in carry-forward funding is available. A recommendation to the Council to set aside \$160,000 for contract program assistance will be made at the July Council meeting with the remainder to be placed in reserve.

Questions were asked regarding speed in accessing computer records. An explanation was provided by Mr. Becker. Discussion took place.

Motion: Judge Hornak move to approve the recommendation for additional funding for contract program assistance and place it on the July Council agenda. Judge Atherton seconded the motion, and it passed unanimously.

7. SCCFL – CONCURRENT JURISDICTION: (Ray Wahl and Tim Shea)

Mr. Wahl provided background information. Two years ago, the Council requested the Standing Committee on Children and Family Law to study issues relating to concurrent jurisdiction for termination of parental rights. A subcommittee was formed and chaired by Judge Thomas Higbee, co-chair of the Standing Committee on Children and Family Law.

It was noted that the Standing Committee has not voted on the matter of concurrent jurisdiction. The Board of District Court Judges has voted twice not to accept the proposed recommendations for concurrent jurisdiction.

Mr. Wahl highlighted the following in his update: 1) the Standing Committee presented information to the Council at their June meeting, 2) Mr. Shea has drafted legislation relative to concurrent jurisdiction, 3) the Board of Juvenile Judges will discuss the matter further at their July 13 meeting, and 4) the draft legislation has not been reviewed by the Standing Committee.

Mr. Shea added his opinion relative to the matter. Discussion took place.

It was suggested that the matter of concurrent jurisdiction be discussed further with the Board of District Court Judges and the Board of Juvenile Court Judges and that it should only be calendared for Council consideration once the Standing Committee is prepared to make specific recommendations.

Motion: Judge Hornak moved to remove the concurrent jurisdiction issue from the July 16 Council agenda and send it for further discussion to the Standing Committee with input to the Board of District Court Judges and the Board of Juvenile Court Judges. Judge Harmond seconded the motion, and it passed unanimously.

8. JUSTICE COURT DISSOLUTION: (Daniel J. Becker)

-Springdale

-Clarkston Town

-Salt Lake County

-Davis County

Mr. Becker mentioned that statute requires a justice court to give notice to dissolve their court. He expressed concern with the most recent justice court dissolution requests. He provided information relative to each request.

Springdale. The towns of Springdale, Rockville, and Virgin have given notice of intent to terminate their inter-local agreement with Hurricane City effective August 5, 2012. They are requesting a waiver of the required waiting period. Discussion with Washington County relative to an inter-local agreement has apparently begun.

Mr. Schwermer has discussed the request with Hurricane City, and does not recommend the waiting period be shortened.

Mr. Becker recommended representation from the cities involved be invited to speak at the July 16 Council meeting.

Clarkston Town. Clarkston Town has given notice of intent to dissolve their justice court effective June 30, 2013 or earlier if approved by the Judicial Council. The dissolution of the Clarkston Town Justice Court would require legislation as the cases would be handled by the First District Court.

Salt Lake County. Salt Lake County has given notice of intent to dissolve their justice court either by entering into inter-local agreements with municipalities in Salt Lake County or by seeking legislative approval to transfer their caseload to the Third District Court effective July 1, 2015.

Mr. Becker suggested that a meeting be held with the Salt Lake County Mayor to further discuss their intent to dissolve their justice court.

Davis County. Davis County has given notice of intent to dissolve their justice court effective July 1, 2013. They are requesting a waiver of one year of the required two-year waiting period. The recommendation is to deny the request for a shortened waiting period.

Mr. Becker recommended Davis County representatives be invited to speak to their request at the July 16 Council meeting.

Mr. Becker will invite the appropriate officials to the July 16 meeting to speak.

9. APPROVAL OF JUDICIAL COUNCIL AGENDA: (Chief Justice Matthew B. Durrant)

Chief Justice Durrant reviewed the proposed Council agenda for the July 16 Council meeting.

Motion: Judge Hornak moved to approve the July Council agenda as amended. Judge Harmond seconded the motion, and it passed unanimously.

Motion: Judge Hornak moved to enter into an executive session to discuss a personnel matter. Judge Harmond seconded the motion, and it passed unanimously.

10. EXECUTIVE SESSION

An executive session was held at this time.

11. ADJOURN

The meeting was adjourned.

TAB 3

RULE 3-409

Courts Facility Planning

Intent:

- 1) To provide for the responsibilities of the Courts Facility Planning Committee
- 2) To provide for the effective planning of courts capital facilities
- 3) To promote the efficient use of new and existing courthouses through application of co-location and multi-use court facility concepts
- 4) To establish a framework for the conceptual, planning, development and implementation phase of courts capital facilities
- 5) To provide for Council review and approval of all proposed court capital facilities
- 6) To ensure adherence to the design and space guidelines and other requirements of the Utah Judicial System Capital Facilities Master plan

Committee Responsibilities:

Review trends and projections in population, caseload, and other growth indicators to anticipate courthouse construction needs:

2010 – 2011 The Committee studied Davis County

2011 – 2012 The Committee currently is studying Juab and Sanpete Counties

Future Studies will include Weber, Iron and Counties

Review the evaluations of courthouses required by this rule and recommend the prioritized placement of courthouse construction projects within the master plan:

The Committee presents the Judicial Council a comprehensive prioritized ten year plan for construction and development of new courts facilities each year in the Annual Planning Workshop. The ten year plan includes capital development of both state owned facilities and leased facilities. (List attached)

The Committee is currently reviewing the prioritized ten year plan for construction and replacement of new court facilities.

Review recommendations from the facility coordinator on construction projects and the master plan:

As part of the budget process the facility coordinators are required to submit a list of projects for funding consideration to the Committee. The requests are reviewed, evaluated and prioritized for the capital improvement project funding.

Make recommendations to the Council regarding the reordering of master plan priorities and amendments to design and space guidelines:

The master plan is reviewed as events, conditions or opportunities develop. The Committee evaluates how they affect the prioritization of the master plan. The Committee presents any recommendations to change the order of the master plan to Council annually and any information related to the recommended changes.

The Design and Space Guidelines were updated and presented to Judicial Council for approval this year. The changes incorporated improvements and changes to court construction and technology from the past ten years. The Design Guidelines have been presented to the Judicial Council and approved.

Compare construction requests with the Design and Space Guidelines of the Master Plan to ensure the current and anticipated needs of the court are met:

All construction requests are reviewed for compliance to the Design and Space Guidelines. These guidelines are reviewed and as changes become evident we are noting and updating as needed.

Develop timetable for construction requests so that the committee presents its recommendations to the Council in advance of the Annual Planning Workshop:

Construction requests are required to be turned in along with the budget request. This allows for staff to review and to evaluate the requests by the Standing Committee.

Make recommendations to the Council for the approval, modification, or disapproval of construction requests:

All capital development project requests are evaluated for need, cost, and compliance with the master plan; they are then prioritized for presentation to the Council. The Council can then modify or change the list before taking action.

Develop procedures for the delegation of committee responsibilities to the facility coordinator:

The Committee has delegated the responsibility of defining and requesting improvement projects to the facility coordinators for their district. The procedures for evaluating and developing these requests have been incorporated into the annual budget request process. The facility coordinators are attending the construction meetings within their district.

**UTAH STATE COURTS
TEN YEAR BUILDING PLAN
(Results of Completed District Master Plans)
Updated June 2012**

STATE FUNDED PROJECT	ESTIMATED SCOPE AND COST	PROGRAM/ MASTER PLAN	Update and Proposed LEGISLATIVE SESSION
<p><u>Ogden Juvenile Court</u> Status: No 3 on BB 2011 Capital Development List</p>	<p><i>Property located at 20th and Wall avenue in Ogden has been acquired. The new building will consist of 85,000 square feet, and the 2011 estimated cost for construction is estimated at \$28,000,000.</i></p>	<p>Planning and Programming was completed July 2009</p>	<p><i>The 2008 Legislature funded property acquisition. This project remains the #1 Capital Development Project of the Courts</i> The 2012 Legislature funded \$1,625,000 for design</p>
<p><u>Provo District Expansion</u> Status: Fourth District Master Planning completed in 2009</p>	<p>Add 9 courtrooms to the facility, cost estimates and design will be determined by the programming and planning project. <i>Provo City has requested to be included in expansion plans. The committee has looked at three possible options that would increase the number of courtrooms on the site. The planning and programming for the project will lay out the cost associated with each of the options.</i> <i>The committee's preference is to replace the current facility with a new building that is in compliance with the Design Guidelines.</i></p>	<p>August, 2004 Master Plan Update – Master Plan complete and approved by Judicial Council May 2009</p>	<p>2013 Session - Request funding for design and construction costs to expand up to nine additional courtrooms in Provo.</p>
<p><u>Cedar Courts Expansion</u></p>	<p>Provide for 33,686 SF of addition space for a additional 3 courtrooms and related staff area, current facility has 3 courtrooms</p>	<p>Study Completed 2001</p>	<p style="text-align: center;">2014</p>
<p><u>Ogden District Expansion</u></p>	<p>Identify timing for expansion of existing courthouse. Currently have capacity for 11 courtrooms (one is being is currently used for juvenile court).</p>	<p>Study Underway</p>	<p style="text-align: center;">2015</p>
<p><u>Davis Courts Expansion</u></p>	<p>Davis Courts Master Plan has been updated, findings suggest Farmington only site feasible for future expansion. This may require acquisition of additional neighboring property northwest of current court site, but nearby land is being bought out by private developers. Also, current courthouses could probably accommodate courts until 2020 to 2025, but thereafter expansion option becomes a problem. Need to complete additional master planning with Davis County.</p>	<p>1. Davis County needs study is complete 2. Complete further master planning with Davis County by Spring 2010</p>	<p style="text-align: center;">201? District Judges have acknowledged need to retain the three existing courthouses in Davis County. Exploring expansion opportunities with Davis County should continue. May push ahead of Ogden Dist.</p>

**OTHER PROJECTS UNDER CONSIDERATION
LOCAL GOVERNMENT FUNDING
WITH IMPACT ON COURTS LEASE BUDGET**

1. San Juan County
The County has completed planning and design for the expansion of the existing courthouse facility, adding one additional courtroom that would be shared between State Juvenile Court and County Justice Courts, additional space for court staff, and new space for the County Attorney. This would also provide for separation between the courts personnel and county employees.
This project is on hold pending funding for the County space.
2. Sanpete County
This site has been converted to a State Court as of 11-1-2010. The Standing has invited the Sanpete County to make a presentation to the Committee in December 2011. The county requested the Standing Committee prioritize a new court facility in Sanpete County, to be funded through the State Legislature
History - In 2007 the county tried to get approval for a bond to construct a new facility, the bond was defeated by a 6 vote margin.
Options could include state funding the project, purchase and renovation of the existing courthouse, or a county funded lease purchase agreement for a new facility through the County.
3. Juab County
Facility improvement and replacement option have been presented to the County. The County has agreed to move forward with the project. The county is currently working with DFCM on design and construction management options.
*The county's goal is to have the building designed and ready for construction by the end of this year. The county is currently looking at adding space for the county attorney and justice court.
This project is moving forward.*
4. Wayne County
A letter has been received from Wayne County stating the County will need to new facility within 10 years, and wants the State to participate.
No date has been set for this project - to be scheduled with the County.
5. Kane County
Kane County has constructed a new Jail facility outside of Kanab.
Wendell Roberts and Alyn Lunnecford are meeting with Kane County on May 24 to talk about the options and time tables.
6. Wasatch County
Recent population growth has prompted the County and the Courts to consider adding up to three court rooms to this facility to accommodate projected Juvenile and District Courts needs.
The Standing Committee will report on this project when it is requested as a building block.
7. Garfield County
Garfield County has is constructing a new County office facility. The new facility will be completed by the end of July 2012, it includes a new court room and support area for District, Juvenile and Justice courts.
The contract with the county will be adjusted for the additional Square footage but there will not any increase in rental rate.

Report of the Subcommittee on Security and Emergency Preparedness
Activity Update
July 2, 2012

I. Membership of subcommittee

Judge Dever, Third District Court, Chair
Judge Chamberlain, Fifth District Juvenile Court
Ray Wahl, Deputy Court Administrator
Beani Martinez, Trial Court Executive, Second District Juvenile Court
Peyton Smith, Trial Court Executive, Third District Court
Nancy Volmer, Public Information Officer
Tim Shea, Senior Staff Attorney
Alyn Lunceford, Facilities Manager
Carol Price, Court Security Director, Staff to subcommittee

II. Security Reviews

- Vernal
- Tooele
- Logan
- Matheson (in progress)
- Farmington (in progress)
- Bountiful (in progress)
- Layton (in progress)
- Price (follow-up)
- Richfield (follow-up)
- Brigham City (follow-up)

III. Rule 3-414 Revision / HR Policy Revision

The final rule revision was approved by the Judicial Council. Part of the proposed rule included a provision to require family and friends to go through security screening during business hours. Because of concerns expressed by judges, this requirement was made part of an HR policy rather than the rule.

IV. On-line Training

An online training solution has been implemented to replace classroom training and to improve compliance with the annual employee security training required by court rule. This training also eliminates the need for classroom training at New Employee Orientation as well.

A forty-minute Judges Safety training course has also been implemented to allow judges to access security training at their convenience.

An online training course specifically addressing weapon recognition skills has been offered to Court Security Officers around the state. This course allows officers to take the training based on their

schedules and gives them simulated x-ray (or magnetometer) training that is directly applicable to their job duties.

V. **Court Security Officer Training (Two-day classroom)**

The third annual Court Security Officer training was held May 17 and 18. Forty-four officers attended, representing 9 counties around the state. The officers are given instruction in such topics as Legal Issues, Emergency Procedures, Jury Management, and Custody and Inmate Control.

VI. **Farmington Courthouse Closure**

Since the emergency closure of the Farmington Courthouse on December 1, 2011, two post-event discussions have taken place. The intent of both meetings was to talk about what went well with our emergency response and what aspects will need to improve. The first was a discussion among TCES at one of their monthly meetings. A chronology was produced and used as a guide to the conversation. The second discussion was held at the PJ/TCE/Clerks conference. Both discussions produced good questions and ideas for improving our response to future emergencies.

TAB 4

Judicial Institute's Accomplishments for the Last Twelve Months

1. Redesigned New Judges Orientation structure, content and delivery to... Provide *on time, on demand* training before the new judge begins sitting. Previously, new judges could and would sit eleven to twelve months before receiving any new judge orientation. Will be enhanced by including mentoring, two weeks of classroom training and distance learning components.
2. Redesigned the new law clerk orientation. Will include face to face and on-line training components.
3. Institute improved classroom outcome evaluation methods to measure whether judges' behaviors and attitudes were longitudinally changed as a result of attending a learning event.
4. Reconstituted the discontinued court clerks' education committee to more effectively plan content and delivery of education opportunities. Conducted a national review of other state and national court education providers' curricula, conducted focus groups and learner needs surveys to design curricula responsive to their learning needs.
5. Enhanced the Justice Court's internal training skills and capacities. Conducted the first ever combined Justice Court judges' and clerks' training event (a joint "Train the Trainer" institute).
6. Emphasized developing and teaching to specific, measurable learning objectives. Hold faculty accountable for achieving learning objectives. Conduct post-learning event evaluations to measure changed behaviors and attitudes resulting from attending the learning event.
7. Collaborate with national and state judicial education and distance learning experts to begin developing a distance learning strategy and delivery capacity.

8. Offered approximately 100 probation, clerical and general audience classes, many of which were delivered in the districts to minimize employee time away from their courts.
9. Continue to emphasize the importance of diversity training, e.g., adding diversity curricula to all new judges' orientation, providing a compelling experiential diversity training event at the Leonardo Museum and offer a "Utah's Refugees" class to all interested court employees.
10. Create a "New Justice Court Clerk Workshop" curriculum to be offered for the first time as an add-on day to Justice Court Clerks' Conferences". (This fills the current learning needs/orientation gap of new clerks who rely on their already burdened court supervisors to train and orient them).
11. Offer thirteen Juvenile Probation Officer classes in individual districts.
12. Offer a dozen Juvenile Probation Officer safety recertification classes.
13. Provide active leadership in the content development and delivery of the 2012 "PJ/TCE/COC", Drug Court Conference, "Leadership Institute", Legislative Workshops, RESTA Conference, among other conferences.
14. Oriented seven new Justice Court Judges during two weeks (two phases) of new judge orientation. Added a "Judicial Decision-Making" course as part of the curriculum.
15. For Justice Court Judges, conduct a 3.5 day Annual Spring Conference (100 attendees), a Summer and Winter workshop (70 Justice Court Judges attending each), a "Law and Literature" program,

Standing Education Committee Strategic Planning Priorities for 2012-13

1. Provide on-line and distance learning opportunities .
2. Capitalize on resources and monies liberated by courts' new E-filing system (both in terms of reduction in needed counter help and savings resulting from counter employees' natural attrition).

3. Provide expanded learning opportunities for the underserved court population (e.g., AOC management and staff).
4. Maintain the public perception that Utah courts are dedicated to and actually deliver high performance and quality service...especially among the pro se community.
5. Education department should develop expanded array of on-line learning opportunities for everyone in the courts, including judges, new judges, staff. (Similar to the on-line modules developed by HR).
6. Revise New Judges Orientation training and have it operational by end of 2012 calendar year.
7. Enhance our evaluation capacity and use the results to revise our training events' efficacy.
8. Develop collaborative education efforts with the Bar, community, law schools.
9. Prepare for the anticipated increase in retirements through a succession planning strategy.
10. Continue " On the Job Training" in the eight districts.

TAB 5



June 7, 2012

Hurricane City
Attn: Clark Fawcett, City Manager
147 North 870 West
Hurricane, UT 84737

Re: Interlocal Agreement with Hurricane Justice Court

Dear Clark:

As you are aware, the Town of Springdale provides police services to Springdale and the neighboring towns of Rockville and Virgin. For many years, criminal citations arising from police activities have been brought to the Hurricane Justice Court for action. However, it has become apparent that the time has come to end this relationship between our communities and the Hurricane Justice Court.

Pursuant to the June 28, 2006 Interlocal Agreement ("Agreement") between Hurricane City and the Towns of Springdale, Rockville and Virgin ("the Towns") regarding the Hurricane Justice Court, and under direction of the Mayors of the Towns, notice is hereby given of intent to terminate the agreement in sixty (60) days, or on August 5, 2012.

The Towns are currently seeking an agreement with a different justice court, and will move our caseload to the new court as soon as necessary agreements are finalized. If an agreement is finalized before August 7, 2012, Springdale will continue with the payment outlined in Section 13 of the Agreement up to the termination date.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to call. I can be reached at 435-772-3434.

Sincerely,

TOWN OF SPRINGDALE

Rick Wixom
Town Manager



June 13, 2012

Rick Schwermer
Assistant Court Administrator
Utah Administrative Office of the Courts
450 South State
Salt Lake City, UT 84114-0241

Re: Termination of Interlocal Agreement with Hurricane Justice Court

Dear Rick:

Attached is copy of a letter sent from the Town of Springdale on behalf of the Towns of Springdale, Rockville and Virgin giving notice to Hurricane City of the intention to terminate the existing Justice Court agreement.

Please accept this letter as notice to the Judicial Council and the Administrative Office of the Courts of our intention to separate from the Hurricane Court and move our court caseload to a different justice court. We have started discussions with the Washington County Justice Court and have been told that a new interlocal agreement with Washington County will be forthcoming shortly to be considered by the Town Council.

As we have already started this process and have notified Hurricane City, we request a waiver from the statutory requirement of a year waiting period and make the change to the new court as soon as a new agreement can be approved by the Towns and the County. It is our understanding that the Justice Court would continue to serve the cities of Hurricane and La Verkin.

Thank you,

TOWN OF SPRINGDALE

Rick Wixom
Town Manager

118 Lion Boulevard
P.O. Box 187

Springdale, UT 84767-0187
www.springdaletown.com

(435) 772-3434
fax (435) 772-3952

TAB 6

OLSON & HOGGAN, P.C.

ATTORNEYS AT LAW

June 20, 2012

**NOTICE OF INTENT TO DISSOLVE
CLARKSTON TOWN JUSTICE COURT**

SENT CERTIFIED MAIL, RETURN RECEIPT REQUESTED

**also licensed in Nevada

CHARLES P. OLSON (1916-1975)

- BRENT HOGGAN
- MILES P. JENSEN
- BRUCE L. JORGENSEN
- JAMES C. JENKINS
- MARLIN J. GRANT
- ROBERT B. FUNKE
- KEVIN J. FIFE
- JEFFERY B. ADAIR
- KELLY J. SMITH
- JEREMY S. RAYMOND
- TESS A. DAVIS

130 SOUTH MAIN, SUITE 200
P.O. BOX 525
LOGAN, UTAH 84323-0525
TELEPHONE (435) 752-1551
TOLL FREE (866) 752-1551
TELEFAX (435) 752-2295
TREMONTON OFFICE
123 EAST MAIN
P.O. BOX 115
TREMONTON, UTAH 84337-0115
TELEPHONE (435) 257-3885
TELEFAX (435) 257-0365
E-MAIL: oh@oh-pc.com
www.oh-pc.com

Utah Judicial Council
Administrative Office of the Courts
Attn: Richard H. Schwemer,
Assistant State Court Administrator
P. O. Box 140241
Salt Lake City, UT 84114-0241

*Re: Clarkston Town Justice Court – Notice of Dissolution
Our File: N-8287.8*

Dear Mr. Schwemer:

For many years, Clarkston Town has operated the Clarkston Town Justice Court as a certified Justice Court.

The Clarkston Town Council has determined that it is no longer feasible for the Town to operate a Justice Court. Accordingly, the Clarkston Town Council has authorized the undersigned, as the Clarkston Town Attorney, together with the Mayor and Town Recorder, to give notice of its intent to dissolve the Clarkston Town Justice Court effective June 30, 2013, or earlier if approved by the Utah Judicial Council.

The Clarkston Town Council will petition the Utah State Legislature at its 2013 General Session for the adoption of a joint resolution approving the dissolution of the Clarkston Town Justice Court, inasmuch as the caseload from said Justice Court will fall to the First District Court in Cache County upon dissolution of said Justice Court.

This Notice of Intent to Dissolve the Clarkston Town Justice Court is given to the Judicial Council, as required by Section 78A-7-123(1), Utah Code Annotated, 1953 as Amended.

Utah Judicial Council
Administrative Office of the Courts
Attn: Richard H. Schwermer,
Assistant State Court Administrator

June 20, 2012

Page 2

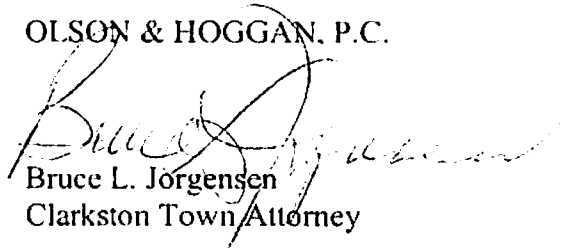
The Notice contained in this letter is being given prior to July 1, 2012, in order that the effective date of the dissolution will be on June 30, 2013, unless an earlier date is approved by the Utah Judicial Council as provided in Section 78A-7-123(3), U.C.A.

The Clarkston Town Justice Court is a Class IV Justice Court. Section 78A-7-123(1)(c) provides that this Notice of Intent shall therefor be given not later than July 1 immediately prior to the general session in which Clarkston Town intends to seek legislative approval, or by July 1, 2012.

Thank you for your attention to this Notice and for your assistance in achieving the dissolution of the Clarkston Town Justice Court.

Sincerely yours,

OLSON & HOGGAN, P.C.

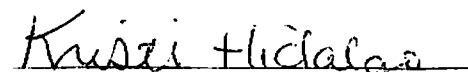


Bruce L. Jorgensen
Clarkston Town Attorney

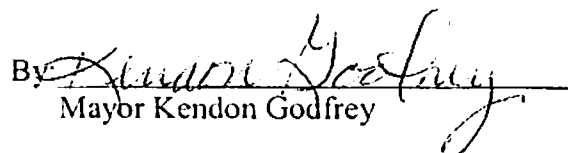
Reviewed and Approved by:

Attested:

CLARKSTON TOWN, a Utah Municipal
Corporation



Kristi Hidalgo, Town Recorder



By Mayor Kendon Godfrey

BLJmrb

J:\BLJ\Clarkston\LTR\Justice Court Dissolution.docx

OLSON & HOGGAN, P.C.

ATTORNEYS AT LAW

BRENT HOGGAN
MILES P. JENSEN
BRUCE L. JORGENSEN
JAMES C. JENKINS
MARLIN J. GRANT
ROBERT B. FUNK*
KEVIN J. FIFE*
JEFFERY B. ADAIR**
KELLY J. SMITH
JEREMY S. RAYMOND
TESS A. DAVIS
—
CHARLES P. OLSON (1916-1975)

*also licensed in Idaho
**also licensed in Nevada

June 26, 2012

130 SOUTH MAIN, SUITE 200
P.O. BOX 525
LOGAN, UTAH 84323-0525
TELEPHONE (435) 752-1551
TOLL FREE (866) 752-1551
TELEFAX (435) 752-2295
—
TREMONTON OFFICE:
123 EAST MAIN
P.O. BOX 115
TREMONTON, UTAH 84337-0115
TELEPHONE (435) 257-3885
TELEFAX (435) 257-0365

E-MAIL: oh@oh-pc.com
www.oh-pc.com

Utah Judicial Council
Administrative Office of the Courts
Attn: Richard H. Schwermer,
Assistant State Court Administrator
P. O. Box 140241
Salt Lake City, UT 84114-0241

*Re: Clarkston Town Justice Court – Notice of Dissolution
Our File: N-8287.8*

Dear Mr. Schwermer:

We have spoken about Clarkston Town's intent to dissolve its Justice Court. At the direction of Mayor Godfrey and the Clarkston Town Council, I am initiating the procedure required by Section 78A-7-123, of the Utah Code, to complete the dissolution of the Town's Justice Court by June 30, 2013, or earlier, if approved by the Judicial Council.

I enclose the formal Notice of Intent to Dissolve Clarkston Town Justice Court dated June 20, 2012, which has been signed by me at the Town Attorney, and by Mayor Godfrey and Kristi Hidalgo, the Town Recorder. Section 78A-7-123(1)(e) provides that this Notice be given not later than July 1, 2012, for the dissolution to be effective on June 13, 2012. The next step will be to petition the Legislature to adopt a Joint Resolution to approve the dissolution inasmuch as the caseload from the Justice Court will fall to the First District Court for Cache County upon dissolution. I have spoken with Representative Jack Draxler, the State Representative for the District which includes Clarkston. He has agreed to sponsor and run the required Joint Resolution at the next General Legislative Session in January 2013.

Having provided the enclosed Notice of Intent to Dissolve to the Utah Judicial Council, I would request that you begin preparing for the dissolution of the Town's Justice Court. Please advise me as to anything I can do to assist in this process. I will keep you posted as to the

Council
Administrative Office of the Courts
Attn: Richard H. Schwermer,
Assistant State Court Administrator
June 26, 2012
Page 2

progress of the Joint Resolution, but have been told that no Bills, Resolutions or other items for the State Legislature during the 2013 session, can be filed until after the General Election is held in November 2012.

I appreciate your assistance.

Sincerely yours,

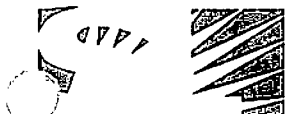
OLSON & HOGGAN, P.C.



Bruce L. Jorgensen

BLJ/mrb
cc: Mayor Kendon Godfrey
cc: Kristi Hidalgo, Town Recorder
J:\BLJ\Clarkston\LTR\rschwmermer.docx

TAB 7



SALT LAKE COUNTY

PETER M. CORROON
Salt Lake County Mayor

2001 South State Street
Suite N-2100
Salt Lake City, UT 84190-1020

801 / 468-2500
801 / 468-3535 fax

June 27, 2012

Judicial Council of the State of Utah
c/o Richard Schwermer
P.O. Box 140241
Salt Lake City, UT 84114-0241

Utah State Senate
350 North State Street, Suite #320
P.O. Box 145115
Salt Lake City, UT 84114

Administrative Office of the Courts
c/o Richard Schwermer
P.O. Box 140241
Salt Lake City, UT 84114-0241

Utah State House of Representatives
350 North State Street, Suite #350
P.O. Box 145030
Salt Lake City, UT 84114


To the Honorable Judicial Council of the State of Utah; the Administrative Office of the Courts;
the Utah State Senate and the Utah State House of Representatives:

On June 19, 2012, the County Council and County Mayor of Salt Lake County adopted a joint resolution approving and providing notice of the County's intent to dissolve its Class I justice court either by entering into interlocal agreements with municipalities in Salt Lake County or by seeking legislative approval to transfer its caseload to the third district court.

We are forwarding a copy of the executed resolution to notify the Judicial Council, in compliance with Utah Code Ann. § 78A-7-123, of Salt Lake County's intention to dissolve its Class I county justice court and transfer its caseload to third district court by petitioning the Legislature to adopt a joint resolution to approve the dissolution at the 2015 General Session. Should the County determine it appropriate to petition the Legislature at an earlier date, we will submit a request, pursuant to Utah Code Ann. § 78A-7-123, to the Judicial Council requesting the Council shorten the time required after notice is submitted and the effective date of the dissolution.

Your acceptance of this notice is greatly appreciated.

Sincerely,


Mayor Peter Corroon,
Mayor of the County of Salt Lake

Sincerely,


Councilman David Wilde,
Salt Lake County Council Chair

A JOINT RESOLUTION OF THE SALT LAKE COUNTY MAYOR AND THE SALT LAKE COUNTY COUNCIL REGARDING THE SALT LAKE COUNTY JUSTICE COURT

RESOLUTION NO. 4632 June 19, 2012

A JOINT RESOLUTION OF THE SALT LAKE COUNTY MAYOR AND THE SALT LAKE COUNTY COUNCIL APPROVING AND PROVIDING NOTICE OF SALT LAKE COUNTY'S INTENT TO DISSOLVE ITS JUSTICE COURT BY ENTERING INTO INTERLOCAL AGREEMENTS WITH MUNICIPALITIES WITHIN THE COUNTY TO EXPAND THEIR TERRITORIAL JURISDICTION OR BY TRANSFERRING ITS CASELOAD TO THIRD DISTRICT COURT

BE IT KNOWN AND REMEMBERED:

THAT, the County Council of Salt Lake County, State of Utah, met in regular session of the Council on the 19 day of JUNE, 2012.

WITNESSETH:

WHEREAS, the Legislature of the State of Utah has provided at Utah Code Ann. § 78A-7-102 (2012 General Session, Senate Bill 200) that a municipality with an established justice court may expand its territorial jurisdiction by entering into an agreement with one or more other municipalities, or the county in which the municipality exists, to transfer jurisdiction and caseload pursuant to the Utah Interlocal Cooperation Act, Title 11, Chapter 13; and

WHEREAS, the Legislature of the State of Utah has further authorized at Utah Code Ann. § 78A-7-102(4)(c)(i) (2012 General Session, Senate Bill 200) that upon providing adequate notice of its intent to the Judicial Council and upon the Judicial Council's certification that the expanded justice court is in compliance with established operating standards, the court transferring its jurisdiction and caseload may be dissolved; and

WHEREAS, alternatively, the Legislature of the State of Utah has authorized under Utah Code Ann. § 78A-7-123 that Salt Lake County may dissolve its justice court without an Interlocal agreement upon obtaining legislative approval because its caseload would fall to the district court upon dissolution; and

WHEREAS, to obtain approval of the Legislature to dissolve its court without an Interlocal agreement, Utah Code Ann. § 78A-7-123 requires the governing authority of Salt Lake County to petition the Legislature to adopt a joint resolution to approve the dissolution and requires the County to provide notice to the Judicial Council no later than July 1 two years prior to the general session in which the County intends to seek legislative approval; and

WHEREAS, the Salt Lake County Mayor and Salt Lake County Council have determined that it is within the best interest of the citizens of Salt Lake County to enter into an Interlocal agreement with one or more municipalities to expand their territorial jurisdiction and dissolve its county justice court; and

WHEREAS, in the alternative, should Salt Lake County not be able to enter into Interlocal agreements with one or more municipalities to expand their territorial jurisdiction and dissolve its county justice court, the Mayor and County Council have determined that it is within the best interest of the citizens of Salt Lake County to dissolve its county justice court by seeking approval of the Legislature and transferring its caseload to Third District Court pursuant to Utah Code.

NOW, THEREFORE, BE IT RESOLVED,

THAT, the County Mayor and County Council of Salt Lake County, Utah hereby join and resolve that Salt Lake County shall seek to enter into one or more Interlocal agreements with municipalities to expand the municipal justice court's territorial jurisdiction and dissolve the Salt Lake County Justice Court;

THAT, if the County is unable to enter into any Interlocal agreements with a municipality to expand the municipal justice court's territorial jurisdiction, then the County shall petition the Legislature for a joint resolution to approve the dissolution of the Salt Lake County Justice Court as authorized under Utah Code Ann. § 78A-7-123; and

THAT, the County notify the State of Utah, the Utah Judicial Council, and the Utah Administrative Office of the Courts by July 1, 2012, of Salt Lake County's intent to dissolve its justice court in accordance with the terms of this joint resolution.

APPROVED and ADOPTED in Salt Lake City, Salt Lake County, Utah, this 19 day of June, 2012.

BY: [Signature]
PETER CORROON, Mayor

BY: [Signature]
David Wilde, Council Chair

ATTEST:

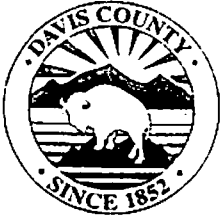
Approved as to Form and Legality:

BY: [Signature]
Sherrie Swensen, Salt Lake County Clerk

BY: [Signature]
Deputy District Attorney

VOTING:

Council Member Bradley voting	<u>"Aye"</u>
Council Member Bradshaw voting	<u>"Aye"</u>
Council Member Burdick voting	<u>"Aye"</u>
Council Member DeBry voting	<u>"Aye"</u>
Council Member Horiuchi voting	<u>Absent</u>
Council Member Iwamoto voting	<u>"Aye"</u>
Council Member Jensen voting	<u>Absent</u>
Council Member Snelgrove voting	<u>"Aye"</u>
Council Member Wilde voting	<u>"Aye"</u>



Davis County Commission

Commissioners: P. Bret Millburn, John Petroff, Jr., Louenda H. Downs

June 26, 2012

UTAH STATE JUDICIAL COUNCIL
450 South State Street
Salt Lake City, Utah 84114

NOTICE OF INTENT TO THE UTAH JUDICIAL COUNCIL TO APPROVE A SHORTENED TERM FOR THE DISSOLUTION OF THE DAVIS COUNTY JUSTICE COURT

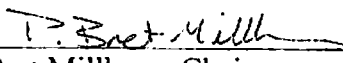
Whereas, the Davis County Commission has reviewed the operation of the Davis County Justice Court and has found that it is not able to financially sustain the Court without running such operation at a deficit; and

Whereas, there are existing District Court locations in Layton and Bountiful which could absorb some or all of the caseload that is currently being handled in the Justice Court;

Therefore, the Davis County Commission hereby gives notice to the Utah Judicial Council pursuant to §78A-7-123 Utah Code Annotated, that Davis County intends on dissolving the Davis County Justice Court, and requests that the period of time for such dissolution be shortened to become effective July 1, 2013.

Dated this 26th day of June, 2012.

DAVIS COUNTY COMMISSION



P. Bret Millburn, Chair

ATTEST:



Steve Rawlings
Davis County Clerk/Auditor



Davis County Commission

Commissioners: P. Bret Millburn, John Petroff, Jr., Lotenda H. Downs

June 26, 2012

Michael G. Waddoups, President
UTAH STATE SENATE
350 North State Street, Suite #320
P.O. Box 145115
Salt Lake City, Utah 84114

NOTICE OF INTENT AND REQUEST FOR LEGISLATURE TO ADOPT A JOINT RESOLUTION TO APPROVE THE DISSOLUTION OF THE DAVIS COUNTY JUSTICE COURT

Whereas, the Davis County Commission has reviewed the operation of the Davis County Justice Court and has found that it is not able to financially sustain the Court without running such operation at a deficit; and

Whereas, there are existing District Court locations in Layton and Bountiful which could absorb some or all of the caseload that is currently being handled in the Justice Court;

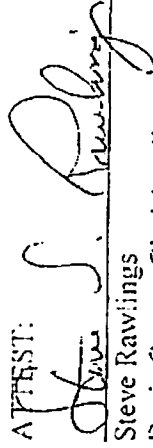
Therefore, the Davis County Commission hereby gives notice to the Utah Legislature that Davis County intends on dissolving the Davis County Justice Court.


The Commission requests that pursuant to § 78A-7-23 (1), Utah Code Annotated, the Legislature adopt a joint resolution approving the dissolution in the 2013 legislative session.

Dated this 26th day of June, 2012.

DAVIS COUNTY COMMISSION

ATTEST:


Steve Rawlings
Davis County Clerk/Auditor


P. Bret Millburn, Chair



Davis County Commission

Commissioners: P. Bret Millburn, John Petroff, Jr., Loucenda H. Downs

June 28, 2012

Mayor Ken Romney
550 N 800 W
West Bountiful, Utah 84087

RE: Notice of Dissolution of Davis County Justice Court

Dear Mayor Romney,

The attached notice of intent to dissolve the Davis County Justice Court has been sent to the Utah Judicial Council. Under the terms of our Interlocal Agreement with your city relative to Justice Court services, we are required to give six months notice to you prior to the end of the County's fiscal year of our intent to terminate the agreement. While this could officially terminate the agreement as of the end of this year, the County is willing to continue our operations on your city's behalf until the date of the dissolution of the County Justice Court. As you can see we have requested a shortened period from the Utah Judicial Council to allow the termination as of July 1, 2013. By law we are required to give two years notice which would place it effectively at July 1, 2014, however, we are hopeful the Judicial Council will agree to the shortened period.

Under the terms of the Interlocal Agreement, the parties can agree to a mutual termination of the agreement and certainly we are open to continuing it until the time of dissolution, thus not requiring any action until at least July 1, 2013. We look forward to your response to this suggestion.

Our relationship in the Justice Court has been mutually beneficial. The decrease in overall citations entering the system, however, has made it financially infeasible to continue court operations. Unfortunately, it appears that the decrease in citations will be a continuing problem. As a result, the County is losing money on a regular basis. Since we are the stewards of the taxpayers' money, it is necessary to take this unfortunate step of dissolving the Davis County Justice Court. The District Court has assured us, however, that it can handle the added caseload in the event that your city decides not to create a new Justice Court. Also, based on our attorneys' review of State law, it appears that your city will still be entitled to one-half of the revenues from your citations, but you will be required to prosecute those cases before the District Court.

We look forward to further conversation with your city as this transition goes forward.

Sincerely,

P. Bret Millburn
Commission Chair

TAB 9

Memorandum

RE: Appointment of Christine Johnson to a Standing Education Committee's Second Term

From: Judge Beth Lindsley, Standing Committee Chair

To: Management Committee of the Judicial Council

Date: July 2, 2009

During the most recent District Judges' Board meeting, it was recommended that Judge Christine Johnson be appointed to fulfill her second term on the Standing Education Committee.

The Standing Education Committee agrees with this reappointment. We respectfully ask you place her reappointment on the Next Council meeting's consent agenda.

Respectfully,

Judge Elizabeth Lindsley,
Standing Education Committee Chair

TAB 10

Mobile Devices and Planners

Resources:

Section 08 Accounts Payable, 08-00 00 Payment Processing

Section 17 Employee Reimbursements, for procedure to be reimbursed for business calls.

Sections 17-01.00 and 17-02.00 for procedure to reimburse the state for personal calls.

Purpose:

This policy establishes what can and cannot be purchased for or reimbursed to judges and employees for either a cell phone, planner, or smart mobile device.

Definitions:

- A “cell phone” is a device which can make and receive telephone calls and text messages over a radio link.
- A “planner” is a paper calendar such as a Franklin planner or equivalent.
- A “smart mobile device” is a multi-purpose electronic device based on an operating system that allows it to run applications. The device is cordless, mobile, and is capable of voice and video communication, internet browsing, and geo-location and can operate autonomously. A smart mobile device includes tablets and smart phones.

Policy:

1. As provided in this policy, the court will purchase for a judge or employee a planner or reimburse a judge or employee for a smart mobile device, but not both.
2. The court will purchase for a judge or employee a planner starter pack or refill and up to \$40 for a cover, if needed for the employee's work and subject to available funding and authorization by the court executive or deputy court administrator. The planner is the property of the judge or employee.
3. The court will reimburse a judge or employee \$150 toward the purchase of a smart mobile device upon approval by the court executive (for judges/employees) or deputy court administrator (for court executives and AOC personnel). The smart mobile device is the property of the judge or employee. Service/data plans will not be purchased by the courts. The court executive or deputy court administrator will approve the request if:
 - a. the judge or employee is full-time, not on probation, and employed for at least one year;

- b. the employee reasonably needs the smart mobile device for work;
 - c. the judge or employee has not been reimbursed for a smart mobile device within the previous three years;
 - d. any smart mobile device for which the employee has been reimbursed is not sufficient for the anticipated work; and
 - e. the funds are available.
4. The judge or employee shall pay the state \$150 prorated if he/she terminates employment less than three years from the date the court reimburses the employee for the purchase. If a judge or employee reimburses the state, he/she shall write a check to the Administrative Office of the Courts with the home unit and object code indicated.
 5. The court executive or designee shall track purchases within the district, and the deputy court administrator or designee shall track purchases within the AOC.
 6. For proper payment processing (regarding purchases) refer to Section 08 Accounts payable.

State Owned Cell Phones

1. Upon the approval of the court executive or deputy court administrator and subject to the availability of funds, the court will purchase or make available a cell phone for:
 - a. Presiding judges, and/or ~~and for~~
 - b. ~~judges and staff who, in the course of their duties, travel between locations for the purpose of conducting job related functions routinely and frequently travel between court locations (no less than 20 miles one way),~~ and/or
 - c. essential job related duties facilitated by mobile communications, and/or
 - d. safety reasons.

The cell phone is the property of the state. Billings will be paid locally and will be charged against the home unit of the respective judge or employee. Upon leaving the position of presiding judge, the cell phone ~~may~~ will be reassigned to the successor. A change in travel duties, essential job functions or mitigation of safety concerns will also result in a reassignment of the cell phone to another user or deactivation. Included in the determination to issue a state owned cell phone by the appropriate administrator will be factors such as travel distances, frequency of use, and legitimacy of the business need.

2. The court shall purchase the cell phone and data plan, which should provide adequate minutes and geographical range required for business purposes. The judge or employee is responsible for the cost of directory assistance. A request to increase plan minutes must be demonstrated through a review of

monthly bills and sign-off by the court executive or deputy court administrator. Downloading any application to a smart phone is limited to legitimate business purposes and the cost of any applications will be the responsibility of the user.

3. A cell phone purchase price should not exceed \$100, unless approved by the court executive or deputy court administrator. Preference should be given to free or low cost phones included with the cell phone service. All rebate offers should be made payable to the State of Utah and coded to the court unit as FINET object code 6126 Wireless Communication Services. For rebates in the form of a debit or credit cards, the card will be given to the appropriate court administrator for further disposition.
4. The court has adopted a minimum life of 36 months for cell phones. A need to replace a cell phone before the 36 month time period must be demonstrated to the court executive or designee. Early replacement should be limited to cell phone failure or free upgrade/replacement.
5. If a judge or employee terminates employment, the judge or employee has the option of purchasing the cell phone. The purchase price is the cost of the cell phone, prorated on a basis that the cell phone's life expectancy is 36 months. The cost of any accessories should also be prorated on the same basis. Prior to leaving employment the judge or employee must confirm that the cell phone number has been removed from the court's account and set up on a private account. If the judge or employee does not choose to purchase the cell phone, it may be provided to another employee or sent to the State of Utah, Division of Surplus Property in accordance with the "Surplus of State Electronic Media and telecommunication Equipment" policies and procedures.
6. Judges and employees assigned a state-owned cell phone must reimburse the state for personal use minutes that exceed the daytime minutes in the plan (excluding unlimited night & weekend minutes). The judge/employee must review the cell phone bill monthly and document any personal calls outside the plan, sign, date, and return to court executive or designee.
7. If a cell phone is lost or damaged due to an employee's negligence, the court executive or designee will determine if the employee will be required to pay all or a portion of the replacement cost.
8. Abuse of a business cell phone by an employee will result in disciplinary action per HR Personnel Policies and Procedures, Section 610 or action under the Utah Code of Judicial Conduct in the instance of a judge.
9. ~~The court executive must approve the judge's/employee's use of a personal cell phone for business purposes and reimbursement. The court executive may establish a reimbursement maximum dollar amount for personal cell business calls per month.~~
10. ~~A judge/employee, using a personal cell phone, should submit for reimbursement for business calls by:
 - a. ~~Dividing the monthly plan cost (without taxes) by the number of daytime minutes included in the plan to arrive at a "per minute" rate. For example: $\$49.99/400 = 12.5$ cents; round up to 13 cents.~~~~

- ~~b. Place a check mark (✓) next to business calls listed on the cell phone bill. Total the number of business minutes. Multiply the "per minute" rate by the number of business minutes for the month to arrive at a total cell phone reimbursement amount. For example: 50 minutes X .13 = \$6.50~~
- ~~c. If the judge/employee exceeds the daytime minutes due to business calls, multiply the business call minutes at the increased "per minute" rate charged for exceeding day-time minutes for the partial or full reimbursement amount. For example: The increased "per minute charge" is .30 cents. The number of business minutes equaled 50 minutes. 20 of the 50 minutes are charged at the increased per minute charge of .30 cents. The calculation for reimbursement would be 30 minutes X .13 = \$3.90 plus 20 minutes X .30 = \$6.00 for a TOTAL OF \$9.90.~~
- ~~d. If the judge/employee exceeds the off peak minutes and incurs off-peak business call charges, multiply the "per minute" rate charged for exceeding off-peak minutes by the number of business minutes for the partial or full reimbursement amount. See example in c above.~~
- ~~e. Submit a copy of the cell phone bill with the completed FI 48 Employee Reimbursement/Earnings Request Form to the employee responsible for reviewing and approving the reimbursement. Refer to Section 17-01.00 for reimbursement through payroll.~~

Personal Cell Phone Reimbursement

1. The court executive must approve the judge's/employee's use of a personal cell phone for business purposes and reimbursement. The court executive may establish a reimbursement maximum dollar amount for personal cell business calls per month.
2. A judge/employee, using a personal cell phone, should submit for reimbursement for business calls by:
 - a. Dividing the monthly plan cost (without taxes) by the number of daytime minutes included in the plan to arrive at a "per minute" rate. For example: $\$49.99/400 = 12.5$ cents; round up to 13 cents.
 - b. Place a check mark (✓) next to business calls listed on the cell phone bill. Total the number of business minutes. Multiply the "per minute" rate by the number of business minutes for the month to arrive at a total cell phone reimbursement amount. For example: 50 minutes X .13 = \$6.50

- c. If the judge/employee exceeds the daytime minutes due to business calls, multiply the business call minutes at the increased "per minute" rate charged for exceeding day-time minutes for the partial or full reimbursement amount. For example: The increased "per minute charge" is .30 cents. The number of business minutes equaled 50 minutes. 20 of the 50 minutes are charged at the increased per minute charge of .30 cents. The calculation for reimbursement would be 30 minutes X .13 = \$3.90 plus 20 minutes X .30 = \$6.00 for a TOTAL OF \$9.90.
- d. If the judge/employee exceeds the off-peak minutes and incurs off -peak business call charges, multiply the "per minute" rate charged for exceeding off-peak minutes by the number of business minutes for the partial or full reimbursement amount. See example in c above.
- e. Submit a copy of the cell phone bill with the completed F1-48 Employee Reimbursement/Earnings Request Form to the employee responsible for reviewing and approving the reimbursement. Refer to Section 17-01.00 for reimbursement through payroll.

**ADDITIONAL COUNCIL MEETING
HANDOUTS**

Exactly What Does a CASA Volunteer Do?

CASA volunteers are appointed by the Guardian ad Litem attorney to advocate for the best interests of abused and neglected children. The primary responsibilities of a CASA:

- **Gather Information:** Review documents and records, interview the children, family members and professionals in their lives.
- **Document Findings:** Provide written reports to the GAL attorney in preparation for all court proceedings.
- **Appear in/Attend Court:** Advocate for the child's best interests and provide testimony when necessary.
- **Explain What is Going On:** Help the child understand the court proceedings. **"Be the Glue":** Seek cooperative solutions among individuals and organizations involved in the children's lives. As one volunteer said: *Be the glue that connects the pieces in a complicated child welfare system.*
- **Recommend Services:** Ensure that the children are receiving appropriate services by keeping the guardian informed of any needs currently not being addressed. Bring concerns about the child's health, education, mental health, etc. to the guardian ad litem's immediate attention.
- **Monitor Case Plans and Court Orders:** Assist the Guardian by reporting any deviation from what the court has ordered for the life of the case.
- **Keep the Guardian ad Litem Informed:** Update the Guardian ad Litem on developments with all participating agencies and family members.
- **Visit with the Child:** maintain a consistent and regular visiting schedule with the child.

The CASA Program *is not* a mentoring program. CASA volunteers gather information for the Guardian ad Litem they are working with. During the assignment process clear instruction is given by the Guardian ad Litem to the CASA as to what information the Guardian ad Litem is seeking. It then becomes the responsibility of the CASA to obtain the information and provide it to the Guardian ad Litem.

Utah Office of Guardian ad Litem and CASA

In an effort to address the growing educational concerns for children in the foster care system, the Utah Office of Guardian ad Litem and CASA recently made the decision to increase focus on educational advocacy. Children involved in the juvenile court process are twice as likely as the general population to be in need of special educational services. CASA advocates spend considerably more time with the child client than any other case party simply as a result of being assigned to only one juvenile court case at a time. It is for this reason the CASA advocate is custom tailored to assist with tracking and identifying the educational needs of children participating in the juvenile court system.

The CASA advocate, once assigned, will become familiar with the child's experiences, behavior, and early development. This process involves consistently observing and speaking with the child, talking regularly to caregivers, teachers and service providers. Initially, the advocate will complete an educational questionnaire meant to identify the child's immediate educational needs. If the child is found to be having educational challenges, the advocate will work to locate all available resources to provide the child with the help he or she needs.

Early intervention and provision of necessary educational services assists greatly with reducing the need for services later. This approach encourages academic and social competence, which builds confidence and a foundation for future success, both of which are of great concern for the Utah Office of Guardian ad Litem and CASA.





Utah Office of Guardian ad Litem and CASA

CASA Education Questionnaire

Child's Name: _____ Date: _____

School: _____ Year in School: _____

CASA Name: _____

Type of school setting (YIC classroom, mainstream, special education, etc.)?

Name of school/teacher? _____

If not attending school, what educational services is the child receiving and from whom?

Length of time in current school? _____

How many missed days of school this year? _____ Why? _____

Date of last educational evaluation or assessment? _____

Results? _____

Is child on target academically? _____ Explain: _____

Does child have an Individualized Education Plan (IEP), a Standardized Education Plan (SEP) or a Section 504?

If so, is plan meeting child's needs? _____

Areas where child excels in school? _____

Extracurricular activities child is involved in? _____

Any barriers to participation in extracurricular activities? _____

Has the CASA advocate identified someone to become the child's educational advocate once the juvenile case concludes? _____ Who? _____

Explain: _____

Courts Facility Planning Standing Committee Capital Development Prioritization Project

The Capital Development prioritization list for State Courts system was established in 2001. Over the last eleven years we have received funding for and built eight new facilities from that list. We are currently evaluating and updating the prioritization of future Capital Development requests. Recognizing changes in the Courts systems, aging facilities, leased facilities and contract sites that do not comply with the design guidelines; we are evaluating all court facilities based on the following criteria.

Evaluation criteria

Security Score 1 to 10 – 1 meets current standard, 10 doesn't meet standards
Separation of court areas (public, secure employee, in custody)
Security check points in the building
Access control systems
Camera system
Security equipment (x-ray – metal detector)

Building Condition Score 1 to 10 – 1 very good, 10 needs major work
Building age (how old is the building)
Security (can the building be updated for security)
Building location
Can the building be renovated to bring the building up to current standard

Adequacy Score 1 to 10 – 1 meets all current needs, 10 fails to meet needs
Number of court room / number of judges
Court room utilization
Clerical work area
Probation work area
Building renovation potential

County Factor Score 1 to 5 – 1 most populated, 5 least populated
Population of the county
Geography of the county
Population centers of the county
Current court locations (numbers of court houses, court rooms)
Accessibility within and between population centers
Transportation considerations

Growth Factor Score 1 to 5 – 1 largest growth potential, 5 least growth potential
Projected population of the County
Five years
Ten year
Fifteen year
Twenty year
Twenty five year

Building list

District	County	Unit Name	State / Contract		Lease Status / Termination Date	Square Feet	Court Rooms	Shelled Court Rooms	Convertible Court Rooms	Designed Expansion
1	Box Elder	Brigham City	State	Owned		35,000	3	0	1	No
1	Cache	Logan	State	Owned		73,644	6	2	0	Yes
1	Rich	Randolph	Contract	Leased	Y - Y	2,415	1	0	0	No
2	Davis	Bountiful	State	Leased	06/30/18	26,804	2	0	0	No
2	Davis	Layton	State	Owned		20,025	2	0	0	No
2	Davis	Farmington	State	Owned		98,699	6	0	0	No
2	Morgan	Morgan	Contract	Leased	Y - Y	2,727	1	0	0	No
2	Weber	Ogden Dist	State	Owned		91,000	11	0	1	Yes
2	Weber	Ogden JV	State	Owned		44,000	3	0	0	No
3	Salt Lake	Matheson	State	Owned		417,000	37	0	13	No
3	Salt Lake	West Jordan	State	Owned		117,439	10	2	0	Yes
3	Summit	Park City (Silver Summit)	State	Leased	04/30/21	15,100	2	0	0	No
3	Tooele	Tooele	State	Owned		58,968	2	2	0	Yes
4	Juab	Nephi	State	Leased	06/30/14	3,080	1	0	0	No
4	Millard	Fillmore	Contract	Leased	Y - Y	8,598	1	0	0	No
4	Utah	Spanish Fork (lease purchase)	State	Owned	06/30/29	31,779	2	0	0	Yes
4	Utah	American Fork	State	Leased	09/30/22	27,588	3	1	0	No
4	Utah	Orem	State	Owned		16,080	2	0	0	No
4	Utah	Provo JV	State	Owned		18,303	2	0	1	No
4	Utah	Provo Dist	State	Owned		59,928	9	0	0	No
4	Utah	Salem	Contract	Leased	Y - Y	104	0	0	0	No
4	Wasatch	Heber City	State	Leased	06/30/16	10,043	1	0	0	Yes
5	Beaver	Beaver	State	Leased	06/30/18	7,088	1	0	0	No
5	Iron	Parowan	State	Leased	Y - Y	3,077	1	0	0	No
5	Iron	Cedar City	State	Owned		17,037	3	0	0	Yes
5	Washington	St George	State	Owned		95,550	7	0	1	Yes

Building list

District	County	Unit Name	State / Contract		Lease Status / Termination Date	Square Feet	Court Rooms	Shelled Court Rooms	Convertible Court Rooms	Designed Expansion
6	Garfield	Panguitch	Contract	Leased	Y - Y	2,481	1	0	0	No
6	Kane	Kanab	Contract	Leased	Y - Y	3,846	2	0	0	No
6	Piute	Junction	Contract	Leased	06/30/17	4,120	1	0	0	No
6	San Pete	Manti	State	Leased	06/30/18	7,301	2	0	0	No
6	Sevier	Richfield	State	Owned	08/30/15	19,839	2	0	0	No
6	Wayne	Loa	Contract	Leased	Y - Y	2,600	1	0	0	No
7	Carbon	Price	State	Leased	06/30/13	18,279	3	0	0	No
7	Emery	Castle Dale	State	Leased	05/31/23	8,800	2	0	0	No
7	Grand	Moab	State	Leased	06/30/13	11,936	2	0	0	No
7	San Juan	Monticello	State	Leased	Y - Y	3,206	1	0	0	Yes
8	Daggett	Manila	Contract	Leased	Y - Y	3,137	1	0	0	No
8	Duchesne	Roosevelt	State	Leased	Y - Y	4,786	1	0	0	No
8	Duchesne	Duchesne	State	Leased	06/30/18	7,013	1	0	0	No
8	Uintah	Vernal	State	Owned		33,331	3	0	1	Yes

Building list by district by score										
District	County	Unit Name	State / Contract		Security	Condition	Adequacy	County	Growth	Total Score
					1-10	1-10	1-10	1-5	1-5	
1	Box Elder	Brigham City	State	Owned	2	1	1	2	1	7.00
1	Cache	Logan	State	Owned	1	1	2	2	2	8.00
1	Rich	Randolph	Contract	Leased	7	7	5	1	1	21.00
2	Davis	Bountiful	State	Leased	3	3	1	4	4	15.00
2	Davis	Layton	State	Owned	3	4	1	4	4	16.00
2	Davis	Farmington	State	Owned	2	2	4	4	4	16.00
2	Morgan	Morgan	Contract	Leased	5	5	2	1	1	14.00
2	Weber	Ogden Dist	State	Owned	2	2	2	4	3	13.00
2	Weber	Ogden JV	State	Owned	10	4	10	4	3	31.00
3	Salt Lake	Matheson	State	Owned	1	2	2	5	4	14.00
3	Salt Lake	West Jordan	State	Owned	1	2	3	5	4	15.00
3	Summit	Park City (Silver Summit)	State	Leased	3	1	3	3	3	13.00
3	Tooele	Tooele	State	Owned	3	2	2	3	3	13.00
4	Juab	Nephi	State	Leased	10	10	5	2	2	29.00
4	Millard	Fillmore	Contract	Leased	5	4	2	1	2	14.00
4	Utah	Spanish Fork (lease purchase)	State	Owned	2	1	2	4	3	12.00
4	Utah	American Fork	State	Leased	2	2	3	4	3	14.00
4	Utah	Orem	State	Owned	6	6	1	5	3	21.00
4	Utah	Provo JV	State	Owned	5	7	5	5	3	25.00
4	Utah	Provo Dist	State	Owned	5	5	10	5	3	28.00
4	Utah	Salem	Contract	Leased	0	0	1	4	2	7.00
4	Wasatch	Heber City	State	Leased	3	1	6	3	3	16.00
5	Beaver	Beaver	State	Leased	5	2	2	2	2	13.00
5	Iron	Parowan	State	Leased	10	1	1	2	1	15.00
5	Iron	Cedar City	State	Owned	4	3	4	3	3	17.00
5	Washington	St George	State	Owned	1	1	1	3	3	9.00

Building list by district by score										
District	County	Unit Name	State / Contract		Security	Condition	Adequacy	County	Growth	Total Score
					1-10	1-10	1-10	1-5	1-5	
6	Garfield	Panguitch	Contract	Leased	3	2	1	1	1	8.00
6	Kane	Kanab	Contract	Leased	8	7	5	1	1	22.00
6	Piute	Junction	Contract	Leased	3	2	1	1	1	8.00
6	San Pete	Manti	State	Leased	10	7	7	2	1	27.00
6	Sevier	Richfield	State	Owned	3	4	2	2	1	12.00
6	Wayne	Loa	Contract	Leased	10	9	5	1	1	26.00
7	Carbon	Price	State	Leased	4	6	3	2	1	16.00
7	Emery	Castle Dale	State	Leased	3	2	1	1	1	8.00
7	Grand	Moab	State	Leased	4	3	2	1	1	11.00
7	San Juan	Monticello	State	Leased	5	5	3	1	1	15.00
8	Daggett	Manila	Contract	Leased	7	7	5	1	1	21.00
8	Duchesne	Roosevelt	State	Leased	3	2	1	1	1	8.00
8	Duchesne	Duchesne	State	Leased	3	2	1	1	1	8.00
8	Uintah	Vernal	State	Owned	2	1	1	2	3	9.00

Introduction:

- As the Chair of the Technology Committee, I would like to acknowledge the fact that the Council recognized the importance of the Committee and thank them for extending the authority of the Committee for another six years.

Google Apps Conversion:

- The State of Utah awarded a contract to Tempus Nova and Google to provide electronic mail, calendar, scheduling, and collaboration services to the public sector. Justice Thomas Lee chaired a sub-committee tasked with the responsibility to evaluate and make a recommendation on the adoption of Google Apps as the court's electronic mail system. The Technology Committee approved the sub-committee's recommendation to migrate from GroupWise to Google Apps and forwarded that recommendation to the Council.

The courts opted to take advantage of the Google contract and convert the GroupWise system to Google Apps in conjunction with the conversion plan for state agencies. This meant that conversion planning that generally takes 6 months was accomplished in 6 weeks. As you know, when it came time for the actual conversion, the state postponed its conversion project. The court went ahead with its scheduled conversion.

Any change from one computing system to another is difficult, and this conversion was no exception. In typical fashion, the IT Division successfully completed the conversion from GroupWise to Google Apps. No one lost email, document attachments, scheduled events, or contact information.

Implementation of Council Recommendations:

- Last year, the Council adopted a Technical Committee recommendation to allow access to documents through the Xchange system. In the domestic relations cases, this decision caused a problem. Access to the content of some documents in this case type should not be public. The Council approved a recommendation to restrict access to private documents. As a result, IT changed CORIS and the document management system to comply with the Council's recommendation.
- The Council also approved a rule change relating to discovery. Again, IT was required to change CORIS to comply with the rule change. To assist with compliance, and to provide better case management, these changes scheduling notices designed to ensure that the parties understood the courts were actively engaged in monitoring compliance with the discovery rules.
- This year the Council published, then adopted, a rule that would mandate electronic filing for all civil cases. As part of its oversight responsibilities, the Technology Committee received testimony from the Legislative Auditor General on the operating efficiency to the Utah State Court System. In response, the Committee approved recommendations to remove any barriers to electronic filing. Chief among these barriers was the filer's concern that electronic



July 13, 2012

Utah Judicial Council
c/o Rick Schwermer
Assistant Court Administrator
Utah Administrative Office of the Courts
450 South State
Salt Lake City, UT 84114-0241

Re: Termination of Interlocal Agreement with Hurricane Justice Court

Members of the Utah Judicial Council:

I'm writing this letter as a follow up to a phone conversation between Rick Schwermer and me regarding the upcoming meeting of the Utah Judicial Council on Monday, July 16, 2012. Thank you for the opportunity to attend the Council meeting. Unfortunately, it is not possible for a representative to travel to Salt Lake on this short notice.

During the conversation with Rick, I was asked to provide any additional information we would like the Council to consider regarding the decision of the Towns of Springdale, Rockville and Virgin to separate from the Hurricane Justice Court and move the Towns' case filings from the Hurricane Justice Court to the Washington County Justice Court.

State Statutes

It is our understanding that the Judicial Council (or the Administrative Office of the Courts) has determined that a one-year waiting period on the dissolution of a justice court per State Code is applicable in this instance. The Towns disagree that the one-year statute applies in this case. Section 78A-7-123 of the State Code states:

(2) (a) A county or municipality shall give notice of intent to dissolve a justice court to the Judicial Council if the caseload of that court would fall to the county justice court. A municipality shall also give notice to the county of its intent to dissolve a justice court.

(b) Notice of intent to dissolve a Class I or Class II court shall be given by July 1 at least two years prior to the effective date of the dissolution.

(c) Notice of intent to dissolve a Class III or Class IV court shall be given by July 1 at least one year prior to the effective date of the dissolution.

(3) Upon request from a municipality or county seeking to dissolve a justice court, the Judicial Council may shorten the time required between the city's or county's notice of intent to dissolve a justice court and the effective date of the dissolution.

It is the Towns' opinion that the Hurricane Justice Court is not being dissolved. The Hurricane court was established long before it was expanded by an interlocal agreement between the Towns of Springdale, Rockville, Virgin and La Verkin. These interlocal agreements were approved and agreed to by the legislative bodies of all the communities.

Section 78A-7-102 (4)(b) of the State Code clearly states that a justice court enlarged under this section (by interlocal agreement pursuant to Chapter 11-13), may not be considered as establishing a new justice court. If a new justice court was not created, only enlarged through interlocal agreement, it does not seem possible for a court to be dissolved through the termination of that agreement. The Hurricane court is not being dissolved. The territory covered by the court is only being reduced.

We have been informed that the Council has asked Hurricane City if they would approve or otherwise "sign off" on the granting of a waiver as provided in Section 78A-7-123. We have been told that the court (and by extension Hurricane City) must give their blessing to a shorter time period before our caseload can be moved to allow the court time to make adjustments in caseload, staffing, etc. We disagree with this analysis for the following reasons:

Section 78A-7-123 does not specify that the municipal court must agree to any waiving of any statutory requirements. The code says that if the caseload would fall to the county district court, a municipality shall give notice to the Judicial Council and the County. We have notified both entities. The County Justice Court is ready to process our case filings and the County Commissioners have approved a new interlocal agreement between the County and the Towns detailing our use of the County justice court.

From the time of our notice to Hurricane City, we have not received *any* direct communication, positive or negative, from Hurricane City or the court regarding our intent to terminate the agreement. The Towns are not aware of any additional staffing that has been implemented by the Hurricane court as a result of the interlocal agreement and concerns about necessary reductions in the court have not been communicated. In fact, statements by the Town Prosecutor to the Town Manager appear to indicate that Hurricane is preparing for the change in caseload without difficulty or objection.

Quoting the attached email, "I have talked to Sandi at Hurricane, and our plan is to resolve anything we can out there, so that we don't have to go through the trouble of transferring tons of files. Any files that appear to be headed to trial I will file a motion to change venue, and *they will change those without objection*. That will take care of the concerns of going to trial in Hurricane now that you have put in notice to leave" (emphasis added).

Most importantly, the City of Hurricane agreed in the approved interlocal agreement to a provision to terminate the agreement given 60 days notice. They cannot now say they "don't agree to a waiver" when they have already given it.

Ongoing Working Relationship

The Towns believe that an ongoing working relationship is not possible with the current administration of the Hurricane court. The Judge appears to be biased against law enforcement in general and against the Springdale Police Department in particular. This is evidenced by the Judge's "consistent willingness to believe Defendants' reports of officer misconduct and change fines without giving the Town a chance to present evidence" as observed by the Town prosecutor. Please see the attached letter from Attorney Marshall McConkie.

While it may appear to those on the outside of the situation that our decision to terminate our agreement was a reaction to a recent State Audit, this is not the case. We have been feeling for some years that the court has lost its ability to be fair, impartial and is biased against those that bring cases to it for decisions. For a few cases in point, please refer to the letter from Chief Wright attached to this letter.

As the Judicial Council oversees all justice courts, we respectfully ask that the Council take a close look at this particular court. When all the law enforcement agencies who cite offenders into the court feel the same bias from the judge, something is wrong.

The main reason the Towns feel it necessary to separate from the Hurricane court is that we do not believe that a working relationship with the current court administration is possible.

Local Decision Making

Throughout our dealings with Hurricane and its court, the Towns have not had any input on decisions made in respect to the court. We were not given an opportunity to participate in the hiring of the current judge. That decision was made by Hurricane City. It is the Towns' understanding that the court was recently recertified in the fall of 2011. We were not given an opportunity to comment on that action. I feel certain that if given so, we would have questioned if the court should remain certified.

In fact, the only thing we can do is exercise our rights under the agreement approved by Hurricane City and the Towns of Springdale, Rockville and Virgin. We can choose to remove ourselves from the court's jurisdiction as provided for and agreed to by Hurricane and the Towns, and we believe for the Judicial Council to say otherwise would be an overreach of its authority.

If the Council has any questions for the Town of Springdale, I can be reached at 435-772-3434 during business hours.

Sincerely,

TOWN OF SPRINGDALE



Rick Wixom
Town Manager

Rick Wixom

From: Marshall McConkie <marshall.mcconkie@gmail.com>
Sent: Wednesday, June 20, 2012 10:36 AM
To: Rick Wixom; Chief Wright
Subject: Justice Court Switch

Dear Rick and Kurt,

I just wanted to stay up to date on the Justice Court Switch.

I have talked to Sandi at Hurricane, and our plan is to resolve anything we can out there, so that we don't have to go through the trouble of transferring tons of files. Any files that appear to be headed to trial I will file a motion to change venue, and they will change those without objection. That will take care of the concerns of going to trial in Hurricane now that you have put in notice to leave.

Regarding which justice court you are moving to, I know that you are currently in negotiations with the Washington County Justice Court, but that the contract has not been signed. I would like to talk to you about other options--namely the Washington City Justice Court. That would be closer for you, and it is possible that you will get a better split, it is at night, so it would interfere less with people's schedules, and Judge Bunnell runs a pretty tight ship.

Obviously, I have a personal stake in what court you ultimately sign up with. I am aware that the county wants you to contract with them to handle the prosecution. I will let you know that my bosses have been fully aware and supportive of our relationship. I also want you to know that I have truly appreciated my relationship with Springdale. I feel like I have a good working relationship with the police force. Garen, Britt, and Kurt call me with questions, and I try to always make time to help out Springdale. The loss of this contract for me would be very damaging. Obviously, I cannot be your first concern in making contracts, but I hope that you would take our longstanding relationship into consideration.

Thank you for allowing us to have this relationship. I hope the move goes well, wherever you decide to move to.

Sincerely,

Marshall



July 13, 2012

Rick Schwermer
Assistant Court Administrator
Utah Administrative Office of the Courts
450 South State
Salt Lake City, Utah 84114-0241

Re: Hurricane Justice Court

Dear Mr. Schwermer;

The purpose of this letter is to express my serious concerns regarding my agency's involvement with the Hurricane City Justice Court. I understand that the termination of our interlocal agreement with the Court is an issue with your office and is suspected to be a knee-jerk reaction to our recent audit with the State Auditor's Office.

We currently have no working relationship with the Hurricane Justice Court with limited to no communication with them at this point. We haven't had a working relationship with their administration for some time. Judge Myers has made several disparaging comments to our prosecuting attorney regarding his distrust of our department and questions my police officers' actions while they are enforcing the law. Defendants will appear before Judge Myers and they will comment or complain about their citation and the officer's actions, and in some cases Judge Myers will either dismiss the charges entirely or significantly reduce their fine. Thus, the defendants don't enter a not guilty plea and thus, the officer is not allowed to defend and/or explain his actions while enforcing the violation. In these instances, Judge Myers will question the officer's actions and have his administration call me with a complaint.

I feel Judge Myers is biased toward my department and this bias will continue to be reflected in current and future cases in his Court. Several months ago, the prosecutor and I had discussed a citation of a local business employee (Hernandez) who had momentarily stepped in to help his mother at a local restaurant and sold alcohol to a minor. He was cited by the state for the alcohol sales violation. Because the defendant is an upstanding citizen and good person, I had asked the prosecutor if an agreement was possible. Subsequently, the prosecutor and defendant entered into a plea and abeyance agreement. When the defendant appeared before Judge Myers, the judge totally disregarded the plea and abeyance, upheld the charge and fined the defendant the maximum amount. In another instance, a couple (Michael and Nannette Mackenzie) who had been renting their

home illegally as a vacation home had been cited for numerous (ongoing issue; approximately seventy plus instances over the spring and summer last year) instances of violating a Springdale Town Ordinance. When the couple appeared before Judge Myers, they claimed they were indigent (despite collecting large rental sums from their renters) and the Judge allowed them to make miniscule payments. I feel Judge Myers decisions in both of these cases were directly influenced by Springdale Town's involvement.

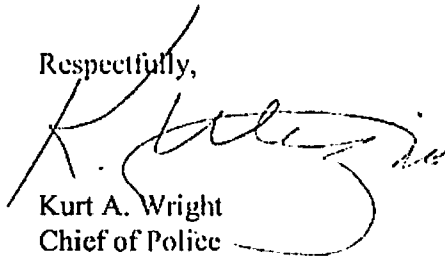
I recently received a very terse email from Sandy Bailey, the Hurricane Justice Court administrator, regarding our instructing foreign defendants to mail cash money through the postal system to pay their fines with the Court. I was further instructed to have my officers "cease and desist" this activity. This email was sent without even discussing or asking me if my officers instruct defendants to send cash through the mail. We don't, of course, instruct defendants to send cash through the mail and cannot control how a defendant pays their fine.

When I heard about Judicial Rule 4-702, which requires electronic citations to be filed with the court as of July 1, 2012, I spoke with Sandy, the Court Administrator. She advised me she wasn't familiar with the new rule. I emailed her on June 28, inquiring if they were ready so we could begin the electronic submission process on our end. To date, I have not received a reply from her office regarding this issue.

In conclusion, I feel that our working relationship has degraded to a point of no return. I respectfully request your board allow our agreement with this court be dissolved without issue.

Thank you for your consideration in this matter. If you have any questions, please feel free to contact me.

Respectfully,



Kurt A. Wright
Chief of Police

Springdale/Zion Canyon Department of Public Safety

July 13, 2012

To Whom It May Concern:

I have been prosecuting for the Town of Springdale in the Hurricane Justice Court for approximately six years. During that time the Town has had numerous concerns with the running of the Hurricane Justice Court, and their decision to leave is based on those years of experiences and not as a final reaction to the audit.

Some of the main concerns that the Town has, and that I have witnessed, include a consistent willingness to believe Defendants' reports of officer misconduct and change fines without giving the Town a chance to present evidence, and an antipathy to some of the negotiations that I have made at the request of the Town's Police Department.

In my experience as the prosecutor, the Town of Springdale has been moving toward moving from Hurricane for quite some time, and that this is a natural outgrowth of experiences that they have had in the Justice Court.

Sincerely,

/s/

J. Marshall McConkie, Attorney

Prosecutor

Introduction:

- As the Chair of the Technology Committee, I would like to acknowledge the fact that the Council recognized the importance of the Committee and thank them for extending the authority of the Committee for another six years.

Google Apps Conversion:

- The State of Utah awarded a contract to Tempus Nova and Google to provide electronic mail, calendar, scheduling, and collaboration services to the public sector. Justice Thomas Lee chaired a sub-committee tasked with the responsibility to evaluate and make a recommendation on the adoption of Google Apps as the court's electronic mail system. The Technology Committee approved the sub-committee's recommendation to migrate from GroupWise to Google Apps and forwarded that recommendation to the Council.

The courts opted to take advantage of the Google contract and convert the GroupWise system to Google Apps in conjunction with the conversion plan for state agencies. This meant that conversion planning that generally takes 6 months was accomplished in 6 weeks. As you know, when it came time for the actual conversion, the state postponed its conversion project. The court went ahead with its scheduled conversion.

Any change from one computing system to another is difficult, and this conversion was no exception. In typical fashion, the IT Division successfully completed the conversion from GroupWise to Google Apps. No one lost email, document attachments, scheduled events, or contact information.

Implementation of Council Recommendations:

- Last year, the Council adopted a Technical Committee recommendation to allow access to documents through the Xchange system. In the domestic relations cases, this decision caused a problem. Access to the content of some documents in this case type should not be public. The Council approved a recommendation to restrict access to private documents. As a result, IT changed CORIS and the document management system to comply with the Council's recommendation.
- The Council also approved a rule change relating to discovery. Again, IT was required to change CORIS to comply with the rule change. To assist with compliance, and to provide better case management, these changes scheduling notices designed to ensure that the parties understood the courts were actively engaged in monitoring compliance with the discovery rules.
- This year the Council published, then adopted, a rule that would mandate electronic filing for all civil cases. As part of its oversight responsibilities, the Technology Committee received testimony from the Legislative Auditor General on the operating efficiency to the Utah State Court System. In response, the Committee approved recommendations to remove any barriers to electronic filing. Chief among these barriers was the filer's concern that electronic



Exactly What Does a CASA Volunteer Do?

CASA volunteers are appointed by the Guardian ad Litem attorney to advocate for the best interests of abused and neglected children. The primary responsibilities of a CASA:

- **Gather Information:** Review documents and records, interview the children, family members and professionals in their lives.
- **Document Findings:** Provide written reports to the GAL attorney in preparation for all court proceedings.
- **Appear in/Attend Court:** Advocate for the child's best interests and provide testimony when necessary.
- **Explain What is Going On:** Help the child understand the court proceedings. **"Be the Glue":** Seek cooperative solutions among individuals and organizations involved in the children's lives. As one volunteer said: *Be the glue that connects the pieces in a complicated child welfare system.*
- **Recommend Services:** Ensure that the children are receiving appropriate services by keeping the guardian informed of any needs currently not being addressed. Bring concerns about the child's health, education, mental health, etc. to the guardian ad litem's immediate attention.
- **Monitor Case Plans and Court Orders:** Assist the Guardian by reporting any deviation from what the court has ordered for the life of the case.
- **Keep the Guardian ad Litem Informed:** Update the Guardian ad Litem on developments with all participating agencies and family members.
- **Visit with the Child:** maintain a consistent and regular visiting schedule with the child.

The CASA Program *is not* a mentoring program. CASA volunteers gather information for the Guardian ad Litem they are working with. During the assignment process clear instruction is given by the Guardian ad Litem to the CASA as to what information the Guardian ad Litem is seeking. It then becomes the responsibility of the CASA to obtain the information and provide it to the Guardian ad Litem.

Utah Office of Guardian ad Litem and CASA

In an effort to address the growing educational concerns for children in the foster care system, the Utah Office of Guardian ad Litem and CASA recently made the decision to increase focus on educational advocacy. Children involved in the juvenile court process are twice as likely as the general population to be in need of special educational services. CASA advocates spend considerably more time with the child client than any other case party simply as a result of being assigned to only one juvenile court case at a time. It is for this reason the CASA advocate is custom tailored to assist with tracking and identifying the educational needs of children participating in the juvenile court system.

The CASA advocate, once assigned, will become familiar with the child's experiences, behavior, and early development. This process involves consistently observing and speaking with the child, talking regularly to caregivers, teachers and service providers. Initially, the advocate will complete an educational questionnaire meant to identify the child's immediate educational needs. If the child is found to be having educational challenges, the advocate will work to locate all available resources to provide the child with the help he or she needs.

Early intervention and provision of necessary educational services assists greatly with reducing the need for services later. This approach encourages academic and social competence, which builds confidence and a foundation for future success, both of which are of great concern for the Utah Office of Guardian ad Litem and CASA.





Utah Office of Guardian ad Litem and CASA

CASA Education Questionnaire

Child's Name: _____ Date: _____

School: _____ Year in School: _____

CASA Name: _____

Type of school setting (YIC classroom, mainstream, special education, etc.)?

Name of school/teacher? _____

If not attending school, what educational services is the child receiving and from whom?

Length of time in current school? _____

How many missed days of school this year? _____ Why? _____

Date of last educational evaluation or assessment? _____

Results? _____

Is child on target academically? _____ Explain: _____

Does child have an Individualized Education Plan (IEP), a Standardized Education Plan (SEP) or a Section 504?

If so, is plan meeting child's needs? _____

Areas where child excels in school? _____

Extracurricular activities child is involved in? _____

Any barriers to participation in extracurricular activities? _____

Has the CASA advocate identified someone to become the child's educational advocate once the juvenile case concludes? _____ Who? _____

Explain: _____



July 13, 2012

Utah Judicial Council
c/o Rick Schwermer
Assistant Court Administrator
Utah Administrative Office of the Courts
450 South State
Salt Lake City, UT 84114-0241

Re: Termination of Interlocal Agreement with Hurricane Justice Court

Members of the Utah Judicial Council:

I'm writing this letter as a follow up to a phone conversation between Rick Schwermer and me regarding the upcoming meeting of the Utah Judicial Council on Monday, July 16, 2012. Thank you for the opportunity to attend the Council meeting. Unfortunately, it is not possible for a representative to travel to Salt Lake on this short notice.

During the conversation with Rick, I was asked to provide any additional information we would like the Council to consider regarding the decision of the Towns of Springdale, Rockville and Virgin to separate from the Hurricane Justice Court and move the Towns' case filings from the Hurricane Justice Court to the Washington County Justice Court.

State Statutes

It is our understanding that the Judicial Council (or the Administrative Office of the Courts) has determined that a one-year waiting period on the dissolution of a justice court per State Code is applicable in this instance. The Towns disagree that the one-year statute applies in this case. Section 78A-7-123 of the State Code states:

(2) (a) A county or municipality shall give notice of intent to dissolve a justice court to the Judicial Council if the caseload of that court would fall to the county justice court. A municipality shall also give notice to the county of its intent to dissolve a justice court.

(b) Notice of intent to dissolve a Class I or Class II court shall be given by July 1 at least two years prior to the effective date of the dissolution.

(c) Notice of intent to dissolve a Class III or Class IV court shall be given by July 1 at least one year prior to the effective date of the dissolution.

(3) Upon request from a municipality or county seeking to dissolve a justice court, the Judicial Council may shorten the time required between the city's or county's notice of intent to dissolve a justice court and the effective date of the dissolution.

It is the Towns' opinion that the Hurricane Justice Court is not being dissolved. The Hurricane court was established long before it was expanded by an interlocal agreement between the Towns of Springdale, Rockville, Virgin and La Verkin. These interlocal agreements were approved and agreed to by the legislative bodies of all the communities.

Section 78A-7-102 (4)(b) of the State Code clearly states that a justice court enlarged under this section (by interlocal agreement pursuant to Chapter 11-13), may not be considered as establishing a new justice court. If a new justice court was not created, only enlarged through interlocal agreement, it does not seem possible for a court to be dissolved through the termination of that agreement. The Hurricane court is not being dissolved. The territory covered by the court is only being reduced.

We have been informed that the Council has asked Hurricane City if they would approve or otherwise "sign off" on the granting of a waiver as provided in Section 78A-7-123. We have been told that the court (and by extension Hurricane City) must give their blessing to a shorter time period before our caseload can be moved to allow the court time to make adjustments in caseload, staffing, etc. We disagree with this analysis for the following reasons:

Section 78A-7-123 does not specify that the municipal court must agree to any waiving of any statutory requirements. The code says that if the caseload would fall to the county district court, a municipality shall give notice to the Judicial Council and the County. We have notified both entities. The County Justice Court is ready to process our case filings and the County Commissioners have approved a new interlocal agreement between the County and the Towns detailing our use of the County justice court.

From the time of our notice to Hurricane City, we have not received *any* direct communication, positive or negative, from Hurricane City or the court regarding our intent to terminate the agreement. The Towns are not aware of any additional staffing that has been implemented by the Hurricane court as a result of the interlocal agreement and concerns about necessary reductions in the court have not been communicated. In fact, statements by the Town Prosecutor to the Town Manager appear to indicate that Hurricane is preparing for the change in caseload without difficulty or objection.

Quoting the attached email, "I have talked to Sandi at Hurricane, and our plan is to resolve anything we can out there, so that we don't have to go through the trouble of transferring tons of files. Any files that appear to be headed to trial I will file a motion to change venue, and *they will change those without objection*. That will take care of the concerns of going to trial in Hurricane now that you have put in notice to leave" (emphasis added).

Most importantly, the City of Hurricane agreed in the approved interlocal agreement to a provision to terminate the agreement given 60 days notice. They cannot now say they "don't agree to a waiver" when they have already given it.

Ongoing Working Relationship

The Towns believe that an ongoing working relationship is not possible with the current administration of the Hurricane court. The Judge appears to be biased against law enforcement in general and against the Springdale Police Department in particular. This is evidenced by the Judge's "consistent willingness to believe Defendants' reports of officer misconduct and change fines without giving the Town a chance to present evidence" as observed by the Town prosecutor. Please see the attached letter from Attorney Marshall McConkie.

While it may appear to those on the outside of the situation that our decision to terminate our agreement was a reaction to a recent State Audit, this is not the case. We have been feeling for some years that the court has lost its ability to be fair, impartial and is biased against those that bring cases to it for decisions. For a few cases in point, please refer to the letter from Chief Wright attached to this letter.

As the Judicial Council oversees all justice courts, we respectfully ask that the Council take a close look at this particular court. When all the law enforcement agencies who cite offenders into the court feel the same bias from the judge, something is wrong.

The main reason the Towns feel it necessary to separate from the Hurricane court is that we do not believe that a working relationship with the current court administration is possible.

Local Decision Making

Throughout our dealings with Hurricane and its court, the Towns have not had any input on decisions made in respect to the court. We were not given an opportunity to participate in the hiring of the current judge. That decision was made by Hurricane City. It is the Towns' understanding that the court was recently recertified in the fall of 2011. We were not given an opportunity to comment on that action. I feel certain that if given so, we would have questioned if the court should remain certified.

In fact, the only thing we can do is exercise our rights under the agreement approved by Hurricane City and the Towns of Springdale, Rockville and Virgin. We can choose to remove ourselves from the court's jurisdiction as provided for and agreed to by Hurricane and the Towns, and we believe for the Judicial Council to say otherwise would be an overreach of its authority.

If the Council has any questions for the Town of Springdale, I can be reached at 435-772-3434 during business hours.

Sincerely,

TOWN OF SPRINGDALE



Rick Wixom
Town Manager

Rick Wixom

From: Marshall McConkie <marshall.mcconkie@gmail.com>
Sent: Wednesday, June 20, 2012 10:36 AM
To: Rick Wixom; Chief Wright
Subject: Justice Court Switch

Dear Rick and Kurt,

I just wanted to stay up to date on the Justice Court Switch.

I have talked to Sandi at Hurricane, and our plan is to resolve anything we can out there, so that we don't have to go through the trouble of transferring tons of files. Any files that appear to be headed to trial I will file a motion to change venue, and they will change those without objection. That will take care of the concerns of going to trial in Hurricane now that you have put in notice to leave.

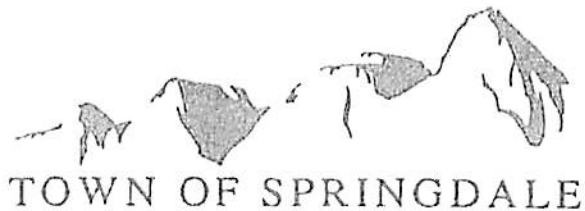
Regarding which justice court you are moving to, I know that you are currently in negotiations with the Washington County Justice Court, but that the contract has not been signed. I would like to talk to you about other options--namely the Washington City Justice Court. That would be closer for you, and it is possible that you will get a better split, it is at night, so it would interfere less with people's schedules, and Judge Bunnell runs a pretty tight ship.

Obviously, I have a personal stake in what court you ultimately sign up with. I am aware that the county wants you to contract with them to handle the prosecution. I will let you know that my bosses have been fully aware and supportive of our relationship. I also want you to know that I have truly appreciated my relationship with Springdale. I feel like I have a good working relationship with the police force. Garen, Britt, and Kurt call me with questions, and I try to always make time to help out Springdale. The loss of this contract for me would be very damaging. Obviously, I cannot be your first concern in making contracts, but I hope that you would take our longstanding relationship into consideration.

Thank you for allowing us to have this relationship. I hope the move goes well, wherever you decide to move to.

Sincerely,

Marshall



July 13, 2012

Rick Schwermer
Assistant Court Administrator
Utah Administrative Office of the Courts
450 South State
Salt Lake City, Utah 84114-0241

Re: Hurricane Justice Court

Dear Mr. Schwermer;

The purpose of this letter is to express my serious concerns regarding my agency's involvement with the Hurricane City Justice Court. I understand that the termination of our interlocal agreement with the Court is an issue with your office and is suspected to be a knee-jerk reaction to our recent audit with the State Auditor's Office.

We currently have no working relationship with the Hurricane Justice Court with limited to no communication with them at this point. We haven't had a working relationship with their administration for some time. Judge Myers has made several disparaging comments to our prosecuting attorney regarding his distrust of our department and questions my police officers' actions while they are enforcing the law. Defendants will appear before Judge Myers and they will comment or complain about their citation and the officer's actions, and in some cases Judge Myers will either dismiss the charges entirely or significantly reduce their fine. Thus, the defendants don't enter a not guilty plea and thus, the officer is not allowed to defend and/or explain his actions while enforcing the violation. In these instances, Judge Myers will question the officer's actions and have his administration call me with a complaint.

I feel Judge Myers is biased toward my department and this bias will continue to be reflected in current and future cases in his Court. Several months ago, the prosecutor and I had discussed a citation of a local business employee (Hernandez) who had momentarily stepped in to help his mother at a local restaurant and sold alcohol to a minor. He was cited by the state for the alcohol sales violation. Because the defendant is an upstanding citizen and good person, I had asked the prosecutor if an agreement was possible. Subsequently, the prosecutor and defendant entered into a plea and abeyance agreement. When the defendant appeared before Judge Myers, the judge totally disregarded the plea and abeyance, upheld the charge and fined the defendant the maximum amount. In another instance, a couple (Michael and Nannette Mackenzie) who had been renting their

home illegally as a vacation home had been cited for numerous (ongoing issue; approximately seventy plus instances over the spring and summer last year) instances of violating a Springdale Town Ordinance. When the couple appeared before Judge Myers, they claimed they were indigent (despite collecting large rental sums from their renters) and the Judge allowed them to make miniscule payments. I feel Judge Myers decisions in both of these cases were directly influenced by Springdale Town's involvement.

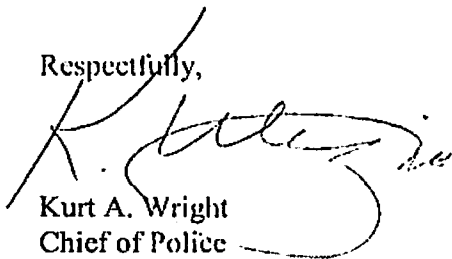
I recently received a very terse email from Sandy Bailey, the Hurricane Justice Court administrator, regarding our instructing foreign defendants to mail cash money through the postal system to pay their fines with the Court. I was further instructed to have my officers "cease and desist" this activity. This email was sent without even discussing or asking me if my officers instruct defendants to send cash through the mail. We don't, of course, instruct defendants to send cash through the mail and cannot control how a defendant pays their fine.

When I heard about Judicial Rule 4-702, which requires electronic citations to be filed with the court as of July 1, 2012, I spoke with Sandy, the Court Administrator. She advised me she wasn't familiar with the new rule. I emailed her on June 28, inquiring if they were ready so we could begin the electronic submission process on our end. To date, I have not received a reply from her office regarding this issue.

In conclusion, I feel that our working relationship has degraded to a point of no return. I respectfully request your board allow our agreement with this court be dissolved without issue.

Thank you for your consideration in this matter. If you have any questions, please feel free to contact me.

Respectfully,



Kurt A. Wright
Chief of Police

Springdale/Zion Canyon Department of Public Safety

July 13, 2012

To Whom It May Concern:

I have been prosecuting for the Town of Springdale in the Hurricane Justice Court for approximately six years. During that time the Town has had numerous concerns with the running of the Hurricane Justice Court, and their decision to leave is based on those years of experiences and not as a final reaction to the audit.

Some of the main concerns that the Town has, and that I have witnessed, include a consistent willingness to believe Defendants' reports of officer misconduct and change fines without giving the Town a chance to present evidence, and an antipathy to some of the negotiations that I have made at the request of the Town's Police Department.

In my experience as the prosecutor, the Town of Springdale has been moving toward moving from Hurricane for quite some time, and that this is a natural outgrowth of experiences that they have had in the Justice Court.

Sincerely,

/s/

J. Marshall McConkie, Attorney

Prosecutor

Introduction:

- As the Chair of the Technology Committee, I would like to acknowledge the fact that the Council recognized the importance of the Committee and thank them for extending the authority of the Committee for another six years.

Google Apps Conversion:

- The State of Utah awarded a contract to Tempus Nova and Google to provide electronic mail, calendar, scheduling, and collaboration services to the public sector. Justice Thomas Lee chaired a sub-committee tasked with the responsibility to evaluate and make a recommendation on the adoption of Google Apps as the court's electronic mail system. The Technology Committee approved the sub-committee's recommendation to migrate from GroupWise to Google Apps and forwarded that recommendation to the Council.

The courts opted to take advantage of the Google contract and convert the GroupWise system to Google Apps in conjunction with the conversion plan for state agencies. This meant that conversion planning that generally takes 6 months was accomplished in 6 weeks. As you know, when it came time for the actual conversion, the state postponed its conversion project. The court went ahead with its scheduled conversion.

Any change from one computing system to another is difficult, and this conversion was no exception. In typical fashion, the IT Division successfully completed the conversion from GroupWise to Google Apps. No one lost email, document attachments, scheduled events, or contact information.

Implementation of Council Recommendations:

- Last year, the Council adopted a Technical Committee recommendation to allow access to documents through the Xchange system. In the domestic relations cases, this decision caused a problem. Access to the content of some documents in this case type should not be public. The Council approved a recommendation to restrict access to private documents. As a result, IT changed CORIS and the document management system to comply with the Council's recommendation.
- The Council also approved a rule change relating to discovery. Again, IT was required to change CORIS to comply with the rule change. To assist with compliance, and to provide better case management, these changes scheduling notices designed to ensure that the parties understood the courts were actively engaged in monitoring compliance with the discovery rules.
- This year the Council published, then adopted, a rule that would mandate electronic filing for all civil cases. As part of its oversight responsibilities, the Technology Committee received testimony from the Legislative Auditor General on the operating efficiency to the Utah State Court System. In response, the Committee approved recommendations to remove any barriers to electronic filing. Chief among these barriers was the filer's concern that electronic

Courts Facility Planning Standing Committee Capital Development Prioritization Project

The Capital Development prioritization list for State Courts system was established in 2001. Over the last eleven years we have received funding for and built eight new facilities from that list. We are currently evaluating and updating the prioritization of future Capital Development requests. Recognizing changes in the Courts systems, aging facilities, leased facilities and contract sites that do not comply with the design guidelines; we are evaluating all court facilities based on the following criteria.

Evaluation criteria

Security Score 1 to 10 – 1 meets current standard, 10 doesn't meet standards
Separation of court areas (public, secure employee, in custody)
Security check points in the building
Access control systems
Camera system
Security equipment (x-ray – metal detector)

Building Condition Score 1 to 10 – 1 very good, 10 needs major work
Building age (how old is the building)
Security (can the building be updated for security)
Building location
Can the building be renovated to bring the building up to current standard

Adequacy Score 1 to 10 – 1 meets all current needs, 10 fails to meet needs
Number of court room / number of judges
Court room utilization
Clerical work area
Probation work area
Building renovation potential

County Factor Score 1 to 5 – 1 least populated, 5 most populated
Population of the county
Geography of the county
Population centers of the county
Current court locations (numbers of court houses, court rooms)
Accessibility within and between population centers
Transportation considerations

Growth Factor Score 1 to 5 – 1 least growth potential, 5 largest growth potential
Projected population of the County
Five years
Ten year
Fifteen year
Twenty year
Twenty five year

Building list

District	County	Unit Name	State / Contract		Lease Status / Termination Date	Square Feet	Court Rooms	Shelled Court Rooms	Convertible Court Rooms	Designed Expansion
1	Box Elder	Brigham City	State	Owned		35,000	3	0	1	No
1	Cache	Logan	State	Owned		73,644	6	2	0	Yes
1	Rich	Randolph	Contract	Leased	Y - Y	2,415	1	0	0	No
2	Davis	Bountiful	State	Leased	06/30/18	26,804	2	0	0	No
2	Davis	Layton	State	Owned		20,025	2	0	0	No
2	Davis	Farmington	State	Owned		98,699	6	0	0	No
2	Morgan	Morgan	Contract	Leased	Y - Y	2,727	1	0	0	No
2	Weber	Ogden Dist	State	Owned		91,000	11	0	1	Yes
2	Weber	Ogden JV	State	Owned		44,000	3	0	0	No
3	Salt Lake	Matheson	State	Owned		417,000	37	0	13	No
3	Salt Lake	West Jordan	State	Owned		117,439	10	2	0	Yes
3	Summit	Park City (Silver Summit)	State	Leased	04/30/21	15,100	2	0	0	No
3	Tooele	Tooele	State	Owned		58,968	2	2	0	Yes
4	Juab	Nephi	State	Leased	06/30/14	3,080	1	0	0	No
4	Millard	Fillmore	Contract	Leased	Y - Y	8,598	1	0	0	No
4	Utah	Spanish Fork (lease purchase)	State	Owned	06/30/29	31,779	2	0	0	Yes
4	Utah	American Fork	State	Leased	09/30/22	27,588	3	1	0	No
4	Utah	Orem	State	Owned		16,080	2	0	0	No
4	Utah	Provo JV	State	Owned		18,303	2	0	1	No
4	Utah	Provo Dist	State	Owned		59,928	9	0	0	No
4	Utah	Salem	Contract	Leased	Y - Y	104	0	0	0	No
4	Wasatch	Heber City	State	Leased	06/30/16	10,043	1	0	0	Yes
5	Beaver	Beaver	State	Leased	06/30/18	7,088	1	0	0	No
5	Iron	Parowan	State	Leased	Y - Y	3,077	1	0	0	No
5	Iron	Cedar City	State	Owned		17,037	3	0	0	Yes
5	Washington	St George	State	Owned		95,550	7	0	1	Yes

Building list

District	County	Unit Name	State / Contract		Lease Status / Termination Date	Square Feet	Court Rooms	Shelled Court Rooms	Convertible Court Rooms	Designed Expansion
6	Garfield	Panguitch	Contract	Leased	Y - Y	2,481	1	0	0	No
6	Kane	Kanab	Contract	Leased	Y - Y	3,846	2	0	0	No
6	Piute	Junction	Contract	Leased	06/30/17	4,120	1	0	0	No
6	San Pete	Manti	State	Leased	06/30/18	7,301	2	0	0	No
6	Sevier	Richfield	State	Owned	08/30/15	19,839	2	0	0	No
6	Wayne	Loa	Contract	Leased	Y - Y	2,600	1	0	0	No
7	Carbon	Price	State	Leased	06/30/13	18,279	3	0	0	No
7	Emery	Castle Dale	State	Leased	05/31/23	8,800	2	0	0	No
7	Grand	Moab	State	Leased	06/30/13	11,936	2	0	0	No
7	San Juan	Monticello	State	Leased	Y - Y	3,206	1	0	0	Yes
8	Daggett	Manila	Contract	Leased	Y - Y	3,137	1	0	0	No
8	Duchesne	Roosevelt	State	Leased	Y - Y	4,786	1	0	0	No
8	Duchesne	Duchesne	State	Leased	06/30/18	7,013	1	0	0	No
8	Uintah	Vernal	State	Owned		33,331	3	0	1	Yes

Building list by district by score										
District	County	Unit Name	State / Contract		Security	Condition	Adequacy	County	Growth	Total Score
					1-10	1-10	1-10	1-5	1-5	
1	Box Elder	Brigham City	State	Owned	2	1	1	2	1	7.00
1	Cache	Logan	State	Owned	1	1	2	2	2	8.00
1	Rich	Randolph	Contract	Leased	7	7	5	1	1	21.00
2	Davis	Bountiful	State	Leased	3	3	1	4	4	15.00
2	Davis	Layton	State	Owned	3	4	1	4	4	16.00
2	Davis	Farmington	State	Owned	2	2	4	4	4	16.00
2	Morgan	Morgan	Contract	Leased	5	5	2	1	1	14.00
2	Weber	Ogden Dist	State	Owned	2	2	2	4	3	13.00
2	Weber	Ogden JV	State	Owned	10	4	10	4	3	31.00
3	Salt Lake	Matheson	State	Owned	1	2	2	5	4	14.00
3	Salt Lake	West Jordan	State	Owned	1	2	3	5	4	15.00
3	Summit	Park City (Silver Summit)	State	Leased	3	1	3	3	3	13.00
3	Tooele	Tooele	State	Owned	3	2	2	3	3	13.00
4	Juab	Nephi	State	Leased	10	10	5	2	2	29.00
4	Millard	Fillmore	Contract	Leased	5	4	2	1	2	14.00
4	Utah	Spanish Fork (lease purchase)	State	Owned	2	1	2	4	3	12.00
4	Utah	American Fork	State	Leased	2	2	3	4	3	14.00
4	Utah	Orem	State	Owned	6	6	1	5	3	21.00
4	Utah	Provo JV	State	Owned	5	7	5	5	3	25.00
4	Utah	Provo Dist	State	Owned	5	5	10	5	3	28.00
4	Utah	Salem	Contract	Leased	0	0	1	4	2	7.00
4	Wasatch	Heber City	State	Leased	3	1	6	3	3	16.00
5	Beaver	Beaver	State	Leased	5	2	2	2	2	13.00
5	Iron	Parowan	State	Leased	10	1	1	2	1	15.00
5	Iron	Cedar City	State	Owned	4	3	4	3	3	17.00
5	Washington	St George	State	Owned	1	1	1	3	3	9.00

Building list by district by score										
District	County	Unit Name	State / Contract		Security	Condition	Adequacy	County	Growth	Total Score
					1-10	1-10	1-10	1-5	1-5	
6	Garfield	Panguitch	Contract	Leased	3	2	1	1	1	8.00
6	Kane	Kanab	Contract	Leased	8	7	5	1	1	22.00
6	Piute	Junction	Contract	Leased	3	2	1	1	1	8.00
6	San Pete	Manti	State	Leased	10	7	7	2	1	27.00
6	Sevier	Richfield	State	Owned	3	4	2	2	1	12.00
6	Wayne	Loa	Contract	Leased	10	9	5	1	1	26.00
7	Carbon	Price	State	Leased	4	6	3	2	1	16.00
7	Emery	Castle Dale	State	Leased	3	2	1	1	1	8.00
7	Grand	Moab	State	Leased	4	3	2	1	1	11.00
7	San Juan	Monticello	State	Leased	5	5	3	1	1	15.00
8	Daggett	Manila	Contract	Leased	7	7	5	1	1	21.00
8	Duchesne	Roosevelt	State	Leased	3	2	1	1	1	8.00
8	Duchesne	Duchesne	State	Leased	3	2	1	1	1	8.00
8	Uintah	Vernal	State	Owned	2	1	1	2	3	9.00

Building list by score (score 14 points and above)										
District	County	Unit Name	State / Contract		Security	Condition	Adequacy	County	Growth	Total Score
					1-10	1-10	1-10	1-5	1-5	
3	Salt Lake	Matheson	State	Owned	1	2	2	5	4	14.00
4	Utah	American Fork	State	Leased	2	2	3	4	3	14.00
2	Davis	Bountiful	State	Leased	3	3	1	4	4	15.00
3	Salt Lake	West Jordan	State	Owned	1	2	3	5	4	15.00
5	Iron	Parowan	State	Leased	10	1	1	2	1	15.00
7	San Juan	Monticello	State	Leased	5	5	3	1	1	15.00
2	Davis	Layton	State	Owned	3	4	1	4	4	16.00
2	Davis	Farmington	State	Owned	2	2	4	4	4	16.00
4	Wasatch	Heber City	State	Leased	3	1	6	3	3	16.00
7	Carbon	Price	State	Leased	4	6	3	2	1	16.00
5	Iron	Cedar City	State	Owned	4	3	4	3	3	17.00
4	Utah	Orem	State	Owned	6	6	1	5	3	21.00
4	Utah	Provo JV	State	Owned	5	7	5	5	3	25.00
6	San Pete	Manti	State	Leased	10	7	7	2	1	27.00
4	Utah	Provo Dist	State	Owned	5	5	10	5	3	28.00
4	Juab	Nephi	State	Leased	10	10	5	2	2	29.00
2	Weber	Ogden JV	State	Owned	10	4	10	4	3	31.00
2	Morgan	Morgan	Contract	Leased	5	5	2	1	1	14.00
4	Millard	Fillmore	Contract	Leased	5	4	2	1	2	14.00
1	Rich	Randolph	Contract	Leased	7	7	5	1	1	21.00
8	Daggett	Manila	Contract	Leased	7	7	5	1	1	21.00
6	Kane	Kanab	Contract	Leased	8	7	5	1	1	22.00
6	Wayne	Loa	Contract	Leased	10	9	5	1	1	26.00

Building list by score (score 14 points and below)

District	County	Unit Name	State / Contract		Security	Condition	Adequacy	County	Growth	Total Score
					1-10	1-10	1-10	1-5	1-5	
1	Box Elder	Brigham City	State	Owned	2	1	1	2	1	7.00
1	Cache	Logan	State	Owned	1	1	2	2	2	8.00
7	Emery	Castle Dale	State	Leased	3	2	1	1	1	8.00
8	Duchesne	Roosevelt	State	Leased	3	2	1	1	1	8.00
8	Duchesne	Duchesne	State	Leased	3	2	1	1	1	8.00
5	Washington	St George	State	Owned	1	1	1	3	3	9.00
8	Uintah	Vernal	State	Owned	2	1	1	2	3	9.00
7	Grand	Moab	State	Leased	4	3	2	1	1	11.00
4	Utah	Spanish Fork (lease purchase)	State	Owned	2	1	2	4	3	12.00
6	Sevier	Richfield	State	Owned	3	4	2	2	1	12.00
2	Weber	Ogden Dist	State	Owned	2	2	2	4	3	13.00
3	Summit	Park City (Silver Summit)	State	Leased	3	1	3	3	3	13.00
3	Tooele	Tooele	State	Owned	3	2	2	3	3	13.00
5	Beaver	Beaver	State	Leased	5	2	2	2	2	13.00
3	Salt Lake	Matheson	State	Owned	1	2	2	5	4	14.00
4	Utah	American Fork	State	Leased	2	2	3	4	3	14.00
2	Morgan	Morgan	Contract	Leased	5	5	2	1	1	14.00
4	Millard	Fillmore	Contract	Leased	5	4	2	1	2	14.00