

# JUDICIAL COUNCIL MEETING

## AGENDA

Monday, December 16, 2013

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. . . . . Daniel J. Becker
4. 9:30 a.m. Reports: Management Committee. . . . Chief Justice Matthew B. Durrant  
Liaison Committee. . . . . Justice Jill Parrish  
Policy and Planning . . . . . Judge Paul Maughan  
Bar Commission. . . . . John Lund, esq.  
(Tab 2 - Information)
5. 9:40 a.m. Problem-Solving Court Certifications. . . . . Judge Dennis Fuchs  
(Tab 3 - Action) Rick Schwermer
6. 10:00 a.m. Legislative Update and Interim Highlights. . . . . Rick Schwermer  
(Information)
7. 10:20 a.m. West Jordan Juvenile Drug Court Application. . . . . Rick Schwermer  
(Tab 4 - Action)
- 10:30 a.m. Break
8. 10:40 a.m. Self-Help Center Staffing. . . . . Daniel J. Becker  
(Action) Jessica Van Buren
9. 10:55 a.m. Rules for Final Action. . . . . Alison Adams-Perlac  
(Tab 5 - Action)
10. 11:05 a.m. Senior Judge Certifications. . . . . Alison Adams-Perlac  
(Tab 6 - Action)
11. 11:10 a.m. Executive Session . . . . .

- 12. 11:40 a.m. Standing Committee on Children and Family Law  
(SCCFL) – Committee Appointment. . . . . Ray Wahl  
(Tab 7 - Action)
- 11:45 a.m. Lunch
- 13. 12:15 p.m. Board of Juvenile Court Judges Update. . . . . Judge Elizabeth Lindsley  
(Information) Dawn Marie Rubio
- 14. 12:40 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 Appointments  
(Tab 8)

Brent Johnson  
Alison Adams-Perlac

2. Grant Approval  
(Tab 9)

Valerie Paul

# TAB 1

# JUDICIAL COUNCIL MEETING

**Minutes**  
**Monday, November 25, 2013**  
**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. James Davis  
Hon. Glen Dawson  
Hon. George Harmond  
Hon. Thomas Higbee  
Hon. Brendan McCullagh for Hon. David Marx  
Hon. Paul Maughan  
Hon. David Mortensen  
Hon. Reed Parkin  
Hon. John Sandberg  
Hon. Randall Skanchy  
John Lund, esq.

## **EXCUSED:**

Hon. David Marx

## **STAFF PRESENT:**

Daniel J. Becker  
Ray Wahl  
Alison Adams-Perlac  
Dawn Marie Rubio  
Debra Moore  
Jody Gonzales  
Rick Schwermer  
Tim Shea  
Nancy Volmer  
Alyn Lunceford  
Nini Rich

## **GUESTS:**

Judge Carolyn McHugh  
Judge Royal Hansen  
Judge Kate Toomey

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

Chief Justice Durrant welcomed everyone to the meeting. A special welcome was extended to Judge McCullagh who was sitting in for Judge Marx.

**Motion:** Judge Maughan moved to approve the minutes from the October 28, 2013 Judicial Council meeting. The motion was seconded, and it passed unanimously.

### **2. CHAIR'S REPORT: (Chief Justice Matthew B. Durrant)**

Chief Justice Durrant reported on the following:

He, Mr. Becker and Mr. Wahl attended the groundbreaking ceremony for the Ogden Juvenile Courthouse on Monday, November 4. Chief Justice Durrant and Judge Frost spoke at the event.

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

Mr. Becker reported on the following items:

**Judicial Confirmations, Nominations and Retirements.** The Senate confirmed the following judges last week: 1) Judge Sharon Sipes, Second District Juvenile Court; 2) Judge

Brent Bartholomew, Fourth District Juvenile Court; and 3) Judge John Pearce, Court of Appeals. Nominations are pending to fill the following vacancies: 1) the Second District Court vacancy, 2) the Third District Juvenile Court vacancy, and 3) the Fifth District Court vacancy. Mr. Becker mentioned the unofficial retirement notice from Judge Hans Chamberlain, with a tentative effective date of May 1, 2014.

Building Board. The Building Board met several weeks ago to prioritize building requests and land bank purchases. The Duchesne court remodel project ranked 13<sup>th</sup>.

Council Photo. Mr. Becker reminded Council members that the Council photo would be taken later in the meeting.

Executive Session. An executive session will be held later to discuss matters of professional competency.

#### 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 November.

##### ***Policy and Planning Meeting:***

Judge Maughan reported on the following items:

The Policy and Planning Committee spent the majority of their meeting reviewing and discussing the current process for conducting performance evaluations of senior judges and court commissioners.

##### ***Bar Commission Report:***

Mr. Lund reported on the following:

He expressed the Bar Commission's pleasure in hearing the Council's decision to hold their July 2014 meeting in Snowmass, Colorado, in conjunction with the Bar's Summer Conference. He also noted that efforts would be made to utilize attendees on workshop panels.

Mr. Becker noted preliminary decisions that have been made relative to travel to the conference. He noted that an increase to the judicial operation's budget will be discussed further by the Council at their April meeting when the one-time spending plan for FY 2015 is considered.

#### 5. **OPEN AND PUBLIC MEETING LAW ORIENTATION: (Alison Adams-Perlac)**

Ms. Adams-Perlac provided the annual training to members of the Council on the Open and Public Meetings Act as required by Rule 2-103. She highlighted the following: 1) the basic principles of the rule include—the meetings must be open unless they are closed in the proper way for the proper purpose, the requirements for an open meeting, and the intent to establish procedures consistent with the philosophy of the Utah Open and Public Meeting Act; 2) what a meeting is; 3) public notice must be given; 4) audio recording and minutes – what the minutes shall include and access to the meeting recording and minutes; 5) public access to the meeting;

and 6) closed meetings – how the meetings are closed, reasons for closing a meeting, and limits on decisions in a closed meeting

**6. LEGISLATIVE UPDATE AND INTERIM HIGHLIGHTS: (Rick Schwermer)**

Mr. Schwermer provided a legislative update to the Council. He distributed a copy of the draft bill, Court System Task Force, as well as the November 2013 Interim Highlights. He highlighted the following in his update: 1) the Child Welfare Legislative Oversight Panel met, 2) Veteran's Reintegration Task Force Report, 3) court system modifications, 4) Divorce Orientation Course timing, 5) Drug Offender Reform Act (DORA), 6) retirement and independent entities, 7) Senate judicial confirmations, 8) appointment of Ms. Jacey Skinner as the Governor's legal counsel, 9) Executive Appropriations met, and 10) the Governor's 2015 budget recommendations will be released in December.

**7. JUDICIAL OUTREACH COMMITTEE UPDATE: (Judge Carolyn McHugh and Ms. Nancy Volmer)**

Chief Justice Durrant welcomed Judge McHugh to the meeting.

Judge McHugh provided an update to the Council on the activities of the Judicial Outreach Committee. She mentioned that the 2013-2014 Strategic Communication Plan was distributed to the Council members in their meeting packet. She highlighted the following in her update: 1) members of the committee were mentioned, 2) 2012-2013 public information office accomplishments, 3) noted the subcommittees and their work, 4) 2013-2014 Strategic Communication Plan goals, and 5) implementation of Rule 4-401 – Electronic media coverage of court proceedings. Judge McHugh mentioned that two outreach meetings were held during the past year.

The following 2012-2013 accomplishments of the Public Information Office were highlighted: 1) hosted the Conference of Court Public Information Officers in August, 2) wrote and distributed 56 news releases/media advisories, 3) responded to 775 media inquiries, 4) planned for and facilitated changes to Rule 4-401, 5) produced court publications including the Annual Report and the Court News employee newsletter, 6) managed the court's social media component.

For the 2013-2014 year, the committee included the following as goals in the Strategic Communication Plan: 1) look at ways to build a more positive view of the courts with diverse populations, 2) determine new ways to communicate with target audiences, 3) consider ways to better inform the public about the court's performance measures, and 4) explore creating an online media training program.

The following was highlighted relative to the change to Rule 4-401 - Electronic media coverage of court proceedings: 1) 74 requests for video pool for cameras were received since the changes to the rule took place, and 2) the first gavel to gavel media coverage that was streamed live took place during the MacNeill case.

Judge McHugh expressed her appreciation to Ms. Nancy Volmer for her support to the Committee.

Chief Justice Durrant thanked Judge McHugh for her update.

**8. SUMMIT COUNTY COURTROOM EXPANSION: (Alyn Lunceford)**

Chief Justice Durrant welcomed Mr. Lunceford to the meeting.

Documents relative to the proposed Summit County courtroom remodel were included in the documentation sent to Council members. Mr. Lunceford provided information relative to Summit County's need for expansion of one additional courtroom to handle the increased caseload.

Mr. Lunceford highlighted the following relative to the proposed remodel to the Summit County court facility: 1) a presentation was made to the Facilities Standing Committee on the proposed design of the expansion project, 2) Summit County has incorporated funding for the expansion into their 2014 budget, 3) architectural firm has been contacted regarding a planning and programming contract, and 4) once design has been finalized, the design will be presented to the Summit County Council and the Facilities Standing Committee for approval.

Mr. Lunceford highlighted the following relative to approval of the remodel project: 1) design of the remodel of the facility to be completed in January-February time frame, 2) construction phase 120-150 days upon completion of the design, 3) anticipated completion of the remodel project by September 2014, 4) an increase of \$50,000 to the FY 2015 budget would be needed for lease payments, 5) thereafter, an adjustment of \$100,000 would be needed for lease payments, 6) working with Summit County on a structure with payback terms within the existing lease term, and 7) current lease expires in 2022.

Mr. Becker mentioned that the Third District presiding judges, Judge Ryan Harris, and Judge Todd Shaughnessy were involved in remodel planning meetings, in addition to management staff.

Mr. Lunceford responded to questions asked relative to the proposed remodel project for the Summit County court facility.

**Motion:** Judge Skanchy moved to accept the proposal for the Summit County courtroom remodel project. Judge Maughan seconded the motion, and it passed unanimously.

**9. UTA ECOPASSES: (Alyn Lunceford)**

In an attempt to minimize air pollution statewide, State government has contracted with UTA to obtain Eco-Passes for state employees in UTA service districts at discounted rates. With this, 23 court sites or 928 court employees, will have the option of receiving an Eco-Pass in January of 2014 at no additional cost to the courts compared to the 89 employees that are currently receiving UTA transportation passes. An Eco-Pass provides unlimited travel on TRAX, all buses including express buses, S-Line and FrontRunner. The pass excludes ski buses and special services UTA transportation.

Mr. Lunceford was thanked for his update.

**10. ADR COMMITTEE UPDATE: (Judge Royal Hansen and Ms. Nini Rich)**

Chief Justice Durrant welcomed Judge Hansen and Ms. Rich to the meeting.

A copy of the ADR Program Overview was distributed to members of the Council.

Judge Hansen provided an update to the Council on the activities of the ADR Committee. He highlighted the following in his update: 1) available Alternative Dispute Resolution (ADR) programs, statewide; 2) ADR program statistics for 2013; 3) an overview of the committee membership; 4) 2013 program highlights, and 5) development and approval of a new website resource on Ethics and Discipline for ADR providers.

ADR program statistics highlights included: 1) more than 3,000 cases were mediated through court ADR programs; 2) four ADR staff mediators conducted 1,047 child welfare mediations, statewide; 3) more than 200 pro bono mediations were arranged by ADR staff; 4) over 1,100 pro bono mediations were provided through ADR program collaborations with non-profit community organizations and educational institutions; and 5) provided an annual 40-hour basic mediation training to over 200 court employees since 2007.

Ms. Rich provided an overview of the new Ethics and Discipline online resource available to ADR providers. She noted the availability of a roster of available providers can be found online, as well.

Judge Hansen expressed his gratitude to Ms. Rich and the IT staff involved in developing the online web-pages relative to the ADR program.

Ms. Rich answered questions relating to the mediation program.

Chief Justice Durrant expressed his gratitude to the ADR Committee and Ms. Rich for all they do for the court ADR programs.

**11. THIRD DISTRICT COMMISSIONER APPOINTMENT: (Judge Royal Hansen and Peyton Smith)**

Judge Hansen stated that the Third District Court has had a commissioner vacancy since the end of August. He outlined the process undertaken in selecting a new court commissioner.

The Third District Bench recommended Ms. Kim Luhn be hired to fill the vacancy for a court commissioner in the Third District Court.

**Motion:** Judge Maughan moved to accept the recommendation of the Third District Bench to appoint Ms. Kim Luhn to fill the vacancy for a court commissioner. Judge Hornak seconded the motion, and it passed unanimously.

**12. PRESENTATION TO ASTAR FELLOWS: (Chief Justice Matthew B. Durrant)**

Three judges from Utah completed the ASTAR Platform A Program through the National Courts and Science Institute. The judges include: 1) Judge Kate Toomey, 2) Judge L.A. Dever, and Judge Ric Oddone.

Chief Justice Durrant presented Judge Toomey with her certificate of completion as an ASTAR Science and Technology Fellow. Judge Dever and Judge Oddone were unable to attend.

Judge Toomey provided background information on the program and the training necessary to become certified in the program.

**13. COUNCIL PHOTO**

A photo of the Council was taken.

**14. LANGUAGE ACCESS IN THE TRIAL COURTS OF RECORD: (Alison Adams-Perlac)**

Ms. Adams-Perlac provided an update to the Council on language access in the trial courts between the years of 2011-2013. She highlighted the following in her update: 1) English fluency by Utah population; 2) language spoken at home; 3) speaks English less than very well; 4) types of credentialing categories for interpreters; 5) percent of hours interpreted by highest credentials available; 6) percent of Spanish language hours interpreted by a certified interpreter;

7) hours interpreted by district in 2013; 8) district court – total interpreted hearings; 9) juvenile court – total cases and parties using interpreters; 10) interpreting costs, 2011-2013; 11) interpreting costs by district, 2011-2013; 12) change in language interpreting costs, 2012-2013; 13) travel costs, 2012-2013; 14) percent change in program costs vs. percent change in number of hearings; 15) statewide, costs have declined by 1%; 16) remote interpreting program; 17) staff interpreter program; 18) expected impact on program costs in 2014; and 19) language access recommendations.

The following are recommendations made on behalf of the Language Access Committee:

1) study remote interpreting program to determine whether expansion to other areas is feasible, 2) retain the four full-time staff interpreters in the Third District, and 3) study whether there are needs in other districts that warrant hiring staff interpreters.

Chief Justice Durrant thanked Ms. Adams-Perlac for her report.

**Motion:** Judge Harmond moved to accept the report to include further study of remote interpretation and staff interpreter needs in other districts. Judge Davis seconded the motion, and it passed unanimously.

**Motion:** Judge Hornak moved to enter into an executive session to discuss a matter of professional competency. Judge Parkin seconded the motion, and it passed unanimously.

**15. EXECUTIVE SESSION**

An executive session was held at this time.

**16. ADJOURN**

The meeting was adjourned.

# TAB 2

**JUDICIAL COUNCIL MANAGEMENT COMMITTEE  
MINUTES**

**Tuesday, December 10th, 2013  
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. James Davis  
Hon. George Harmond  
Hon. John Sandberg  
Hon. Randall Skanchy

**STAFF PRESENT:**

Ray Wahl  
Alison Adams-Perlac  
Jody Gonzales  
Dawn Marie Rubio  
Debra Moore  
Rick Schwermer  
Tim Shea  
Heather Mackenzie-Campbell  
Valerie Paul

**EXCUSED:**

Daniel J. Becker

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

**2. ADMINISTRATOR'S REPORT: (Ray Wahl)**

He reported on the following items:

Mr. Becker is out of the office attending the COSCA Mid-Year Meeting and an SJI Board of Directors Meeting.

**Judicial Retirements/Swearing-In Ceremonies/Orientation.** With recent judicial retirements taking place, there have been many retirement and swearing-in ceremonies being held. Judge Hans Chamberlain, Fifth District Juvenile Court, has announced his upcoming retirement, effective May 1, 2014.

**New Judge Orientation.** It is being held this week at the Matheson Courthouse with one commissioner and eight judges participating.

**Governor's Budget.** The Governor has released his budget recommendations which included the following: 1) the supplemental budget request to advance the juror/witness/interpreter fund, 2) lease, O & M increases, 3) a 1% cost-of-living increase for state employees, and 4) fund 90% of the increases for insurance and retirement costs, employees will cover 10% of the increase.

Farmington Courthouse. Mr. Wahl provided details on the flood which took place at the Farmington Courthouse on December 9.

Third District Juvenile Court TCE Vacancy. Interviews to fill the vacancy for a TCE in Third District Juvenile Court, with the upcoming retirement of Mr. Duane Betournay, have been scheduled for January 7.

**3. COMMITTEE APPOINTMENTS: (Brent Johnson, Alison Adams-Perlac, and Ray Wahl)**

The Language Access Committee has a vacancy for a probation officer position. The Chief Probation Officers have recommended Ms. Megan Hancy to fill the vacancy on the committee. Ms. Adams-Perlac provided background information on Ms. Hancy's experience.

**Motion:** Judge Sandberg moved to approve the appointment of Ms. Megan Hancy to fill the probation officer vacancy on the Language Access Committee and place it on the December Judicial Council consent calendar. Judge Harmond seconded the motion, and it passed unanimously.

The Ethics Advisory Committee has a vacancy for a juvenile court judge with the resignation of Judge Julie Lund. The Board of Juvenile Court Judges recommended the appointment of Judge Renee Jimenez to fill the vacancy for a juvenile court judge representative on the Ethics Advisory Committee.

**Motion:** Judge Davis moved to approve the appointment of Judge Renee Jimenez to fill the juvenile court judge vacancy on the Ethics Advisory Committee and place it on the December Judicial Council consent calendar. Judge Skanchy seconded the motion, and it passed unanimously.

The Standing Committee on Children and Family Law (SCCFL) recommended the reappointment of Judge Paul Lyman to serve a second term on the committee. The committee also recommended the appointment of Judge Paul Lyman to serve as the juvenile court co-chair with the resignation of Judge Thomas Higbee, who recently was elected to serve on the Judicial Council.

With the resignation of Judge Thomas Higbee, there is a vacancy on the committee for a juvenile court judge representative. Judge Sherene Dillon, Second District Juvenile Court, and Judge Renee Jimenez, Third District Juvenile Court submitted their names for consideration.

Efforts have been made to recruit a full-time mediator to the Standing Committee on Children and Family Law (SCCFL) with no success. The committee recommended that Nini Rich, Director of the Alternative Dispute Resolution program be appointed to the committee as the mediator representative.

**Motion:** Judge Harmond moved to approve the re-appointment of Judge Paul Lyman for a second term and to serve as chair, Judge Sherene Dillon to serve as the juvenile court representative, and Nini Rich to serve as the mediator representative to the Standing Committee on Children and Family Law (SCCFL) and place it on the December Judicial Council consent calendar. Judge Sandberg seconded the motion, and it passed unanimously.

**4. GRANT APPROVAL: (Valerie Paul)**

Chief Justice Durrant welcomed Ms. Valerie Paul to the meeting.

Ms. Paul highlighted the following information included on the annual domestic violence report: 1) in 2013, the AOC continued the domestic violence program using VAWA STOP grant funding in the amount of \$81,202.74 compared to \$68,423 in 2012; 2) the funds were used to increase the point of contact from a half-time position to a three-quarter time position, 3) reviewed the 2013 goals to be accomplished with use of the grant funding, 4) provided statistics related to domestic violence cases in the justice and district courts, 5) the 2014 grant application is in the amount of \$65,055.67, 6) allocation of funding was reviewed, and 7) 2014 proposed goals were mentioned.

Ms. Paul mentioned that the proposed grant application was presented to the Board of Justice Court judges at their last meeting, and it will be presented to the Board of District Court Judges at their December meeting.

Judge Hornak requested domestic violence training be available in child welfare cases.

Ms. Moore expressed her gratitude to Ms. Paul for all she has done with the Domestic Violence Program. She mentioned that there is still work to be done in communicating with advocacy organizations on the process undertaken in domestic violence cases and the court's role in managing them.

Discussion took place.

**Motion:** Judge Harmond moved to approve the Violence Against Women STOP Formula Grant and place it on the December Judicial Council consent calendar. Judge Hornak seconded the motion, and it passed unanimously.

**5. 2013 AUDIT STATUS REPORT: (Heather Mackenzie-Campbell)**

Chief Justice Durrant welcomed Ms. Mackenzie-Campbell to the meeting.

Ms. Mackenzie-Campbell provided a status report of the audit services performed in 2013.

**6. 2014 PROPOSED AUDIT SCHEDULE: (Heather Mackenzie-Campbell)**

Ms. Mackenzie-Campbell distributed an updated copy of the 2014 proposed audit schedule to members of the Management Committee. She highlighted the following items on the proposed audit schedule to include: 1) audits in progress, 2) special and limited audits, and 3) full and short audits scheduled. She mentioned that a limited audit of the 6<sup>th</sup> District, Kane, Sanpete Counties, District and Juvenile Court Trust Accounts has been added to the schedule with the upcoming retirement of the district's clerk of court.

**Motion:** Judge Sandberg moved to approve the 2014 proposed audit schedule with the addition of a limited audit of the Sixth District, District and Juvenile Court Trust Accounts, and accept the audit department status report. Judge Davis seconded the motion, and it passed unanimously.

**7. WEST JORDAN JUVENILE DRUG COURT APPLICATION: (Rick Schwermer)**

Mr. Schwermer provided background information regarding the application for a proposed juvenile drug court to be created in West Jordan. He mentioned that it is a reinstatement of a previously held juvenile drug court that was discontinued in 2011 due to a significant

reduction in funding for juvenile drug courts statewide. It was noted that the target population is vague. Discussion took place.

**Motion:** Judge Hornak moved to request Mr. Don Leither amend the target population with more specific details as to what youth will have access to the drug court. A copy of the amended application will be sent by email to the Management Committee for approval and then placed on the December 16 Judicial Council agenda. Judge Sandberg seconded the motion, and it passed unanimously.

**8. PROBLEM-SOLVING COURT CERTIFICATIONS: (Judge Dennis Fuchs and Rick Schwermer)**

Mr. Schwermer mentioned that there will be a significant number of problem-solving courts presented to the Council at their December 16 meeting which are up for certification. There will be a few with conditional certification issues to be considered.

He reminded the Management Committee of the six-month extension that was granted to Judge Karla Staheli to remedy the problems with her dependency drug court in Washington County. Since that time, Judge Staheli has been granted a leave of absence. Judge Thomas Higbee is taking over the dependency drug court and has asked for an additional three-month extension to get the drug court in order.

**9. SELF-HELP CENTER STAFFING: (Ray Wahl)**

Mr. Wahl provided background information on the funding that has taken place in the past to staff the Self-Help Center. He noted that the volume and time required to staff the Self-Help Center is exceeding previous projections. With the effects of the recession waning, it has become more difficult to attract and retain staff due to the lack of benefitted positions.

He highlighted the following relative to current Self-Help Center staffing: 1) the Center currently staffs two benefitted positions, 2) attorneys supporting the Center as part-time staff are not eligible for the tuition forgiveness program, 3) one part-time position was approved for increased hours and inclusion of a benefit package, and 4) a recommendation to increase an additional part-time position to 30 hours with benefits will be presented to the Council. The decision to approve any additional funding to move staff into benefitted positions will be taken up by the Council as part of the FY 2015 spending plan. The goal of this action is not to go back to the legislature for additional funding so soon after the initial funding was received.

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

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

**Motion:** Judge Skanchy moved to approve the agenda for the December 16 Council meeting as amended. Judge Davis seconded the motion, and it passed unanimously.

**11. ADJOURN**

The meeting was adjourned.

# TAB 3

**Utah County, Provo, Adult Mental  
Health Court - Judge Howard**

# UTAH COUNTY, PROVO, ADULT MENTAL HEALTH COURT

## JUDGE HOWARD

OCTOBER 2013

### Overview:

A. Authority: this review was conducted under the authority of CJA Rule 4-409 and the Judicial Council.

B. Purpose and Scope: the purpose of the review is to provide oversight and assistance to mental health courts operating in the State of Utah.

C. Methodology: The certification process included a review of the drug court policies, procedures and practices, and the (10) essential elements of a mental health court. Interviews were conducted with the mental health court staff, team members, and other persons involved in the operation of the mental health court.

### D. Rating Criteria:

Compliant: Subject area was in compliance with standards.

Compliant with Comment: Subject area was in general compliance with standards but specific areas need to be addressed.

Non-compliant: Subject area has one or more significant problems with standards.

F. Mental Health Court Description: There are 25 participants involved in this mental health court. They do take felonies and class A misdemeanors. Members of his team include: Orem City Attorney, American Fork City Attorney, Provo City Attorney, County Attorney, Case Manager, Wasatch Mental Health, and the Court Clerk. **There is not a defense attorney present for staffing or in court. There also does not seem to be any community supervision.**

### H. The Ten (10) Essential Elements:

1. **A BROAD BASED GROUP OF STAKEHOLDERS REPRESENTING THE CRIMINAL JUSTICE, MENTAL HEALTH, SUBSTANCE ABUSE TREATMENT, AND RELATED SYSTEMS AND THE COMMUNITY GUIDES PLANNING AND ADMINISTRATION OF THE COURT.**

a. Used in design phase. **COMPLIANT**

b. Determined eligibility criteria, monitoring mechanisms, and articulated clear, specific, and realizable goals. COMPLIANT

c. The planning committee designated members of an Advisory Group which monitor the court's adherence to its mission. COMPLIANT

**2. ELIGIBILITY CRITERIA ADDRESS PUBLIC SAFETY AND CONSIDER A COMMUNITY'S TREATMENT CAPACITY, IN ADDITION TO THE AVAILABILITY OF ALTERNATIVES TO PRETRIAL DETENTION FOR DEFENDANTS WITH MENTAL ILLNESS.**

a. Take into account the relationship between mental illness and a defendant's offenses. COMPLIANT

b. Specialized police based responses and pre-trial services programs. N/A

c. Closely coordinated with other problem solving courts such as drug court. COMPLIANT

**3. PARTICIPANTS ARE IDENTIFIED, REFERRED, AND ACCEPTED INTO MENTAL HEALTH COURTS, AND THEN LINKED TO COMMUNITY-BASED SERVICE PROVIDERS AS QUICKLY AS POSSIBLE.**

a. Welcome referrals from an array of sources such as law enforcement officers, jail and pretrial services staff, defense counsel, Judges, and family members. COMPLIANT

b. Advertise eligibility criteria and actively educates referral sources. COMPLIANT

c. The time required to accept someone into the program does not exceed the length of the sentence that someone would have received for the crime. COMPLIANT

d. Final determination of eligibility is a team decision. COMPLIANT

**4. TERMS OF PARTICIPATION ARE CLEAR, PROMOTE PUBLIC SAFETY, FACILITATE THE DEFENDANT'S ENGAGEMENT IN TREATMENT, ARE INDIVIDUALIZED TO CORRESPOND TO THE LEVEL OF RISK THAT THE DEFENDANT PRESENTS TO THE COMMUNITY, AND PROVIDE FOR POSITIVE LEGAL OUTCOMES FOR THOSE INDIVIDUALS WHO SUCCESSFULLY COMPLETE THE PROGRAM.**

a. There is a written treatment plan shared with the participant prior to entry into the program and the participant is made aware of noncompliance. COMPLIANT

b. Participants are made aware of all of the collateral consequences of a criminal conviction, i.e. housing, employment, future treatment. COMPLIANT

c. Length of program is not longer than maximum length of probation or incarceration the participant would have received. COMPLIANT

d. Intensity of supervision is determined by seriousness of the crime they committed. COMPLIANT

e. Length of the program is determined by the participant's progress in treatment. COMPLIANT

f. A participant is allowed to withdraw from the program, if in compliance, at any time without any adverse consequences. COMPLIANT

**5. DEFENDANTS FULLY UNDERSTAND THE PROGRAM REQUIREMENTS BEFORE AGREEING TO PARTICIPATE IN A MENTAL HEALTH COURT. THEY ARE PROVIDED LEGAL COUNSEL TO INFORM THIS DECISION AND SUBSEQUENT DECISIONS ABOUT PROGRAM INVOLVEMENT. PROCEDURES EXIST IN THE MENTAL HEALTH COURT TO ADDRESS, IN A TIMELY FASHION, CONCERNS ABOUT A DEFENDANT'S COMPETENCY WHENEVER THEY ARISE.**

a. Staff ensures that defendants fully understand the terms of participation, including the legal consequences if they do not adhere to the program conditions. Non-compliant

b. Counsel is always present at a minimum when there is a risk of sanctions or removal from the program Non-compliant

**6. MENTAL HEALTH COURTS CONNECT PARTICIPANTS TO COMPREHENSIVE AND INDIVIDUALIZED TREATMENT SUPPORTS AND SERVICES IN THE COMMUNITY.**

a. The program provides coordinated treatment for both mental illness and substance abuse if needed. COMPLIANT

b. The case-manager has a caseload that allows for the performance of core functions and allows for the monitoring of the overall condition of the participant. COMPLIANT

c. The program assures that treatment and services will remain available after court supervision ends. COMPLIANT

**7. HEALTH AND LEGAL INFORMATION SHOULD BE SHARED IN A WAY THAT PROTECTS POTENTIAL PARTICIPANTS' CONFIDENTIALITY RIGHTS AS MENTAL HEALTH CONSUMERS AND THEIR CONSTITUTIONAL RIGHTS AS DEFENDANTS.**

**a. The program adheres to federal and state laws that protect the confidentiality of medical, mental health, and substance abuse treatment records.**

**COMPLIANT**

**b. The court maintains clinical records separate from court files. COMPLIANT**

**c. Discussions involving clinical information in open court is avoided.**

**COMPLIANT**

**8. A TEAM OF CRIMINAL JUSTICE AND MENTAL HEALTH STAFF AND SERVICE AND TREATMENT PROVIDERS RECEIVES SPECIAL, ONGOING TRAINING AND HELPS MENTAL HEALTH COURT PARTICIPANTS ACHIEVE TREATMENT AND CRIMINAL JUSTICE GOALS BY REGULARLY REVIEWING AND REVISING THE COURT PROCESS.**

**a. The judge leads and encourages collaboration among the mental health court team. COMPLIANT**

**b. Team members take part in cross-training. COMPLIANT**

**c. The team attends national and/or in-state training and has the opportunity to observe the operation of other mental health courts. COMPLIANT**

**d. there is periodic review and revision of the court process. COMPLIANT**

**9. CRIMINAL JUSTICE AND MENTAL HEALTH STAFF COLLABORATIVELY MONITOR PARTICIPANTS' ADHERENCE TO COURT CONDITIONS, OFFER INDIVIDUALIZED GRADUATED INCENTIVES AND SANCTIONS, AND MODIFY TREATMENT AS NECESSARY TO PROMOTE PUBLIC SAFETY AND PARTICIPANTS' RECOVERY.**

**a. Court staff is informed of participant's progress from all agencies involved.**

**COMPLIANT**

**b. Sanctions are explained to participants prior to entering the program.**

**COMPLIANT**

**c. There are incentives for a participant that exceeds the expectations of the program. COMPLIANT**

**10. DATA IS COLLECTED AND ANALYZED TO DEMONSTRATE THE IMPACT OF THE MENTAL HEALTH COURT, ITS PERFORMANCE IS ASSESSED PERIODICALLY, COURT PROCESSES ARE INSTITUTIONALIZED, AND SUPPORT FOR THE COURT IN THE COMMUNITY IS CULTIVATED AND EXPANDED.**

**a. Court and treatment conduct an exit interview with participants.**

**COMPLIANT**

**b. The court has formulated and written policies and procedures. COMPLIANT**

**c. The court has a plan for continued funding. COMPLIANT**

**d. the court has a plan on how to respond to serious program failures.**

**COMPLIANT**

**ISSUES:** There is not a defense attorney present in this court. Judge does not spend enough time with each participant. Participants seemed to not be given an opportunity to explain any of their conduct. Participants were not told they had a right to have an attorney present. There are some major issues with this program.

**Sevier County, Richfield, Adult Drug  
Court - Judge Bagley**

**CERTIFICATION SITE VISIT**

**PROGRAM: SEVIER COUNTY, RICHFIELD, ADULT DRUG COURT**

**JUDGE: JUDGE BAGLEY**

**NUMBER OF PARTICIPANTS: 16**

**DATE: JUNE 2013**

**REQUIRED:**

YESXX NO

Minimum length of program is twelve months.

Comments:

YESXX NO

Program requires at least 90 days clean to graduate.

Comments:

YESXX NO

Court has a participant agreement and waiver.

Comments:

YESXX NO

Pros, Def, Treat, and Judge, at a minimum attend staffing.

		Comments:
YESXX NO	Pros, Def, Treat, and Judge, at a minimum attend court sessions.	Comments:
YESXX NO	Staffing occurs prior to every court session.	Comments:
YESXX NO	Participants sign a release of confidentiality.	Comments:
YESXX NO	Court has written policies and procedures.	Comments:
YESXX NO	Eligibility criteria do not exclude non-drug charges.	Comments:
YESXX NO	Participants undergo a substance abuse assessment.	Comments:
YESXX NO	Participants undergo a criminogenic risk assessment.	Comments:
YESXX NO	Program uses RANT.	

Comments:

YESXX NO

Treatment is provided by a state licensed provider.

Comments:

YESXX NO

Gender specific treatment is provided.

Comments:

YESXX NO

Drug testing is frequent and random and performed at least twice per week.

Comments:

YESXX NO

Secular alternative to community support groups if required.

Comments:

YESXX NO

Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.

Comments:

YESXX NO

Judge spends an average of three minutes with each participant.

Comments:

YESXX NO

Program has more than 15 but less than 125 participants.

Comments:

YESXX NO Program does not impose more than an average of three jail days as sanction.  
Comment:

YESXX NO Judge is leader of team and maintains an active role.  
Comments:

YESXX NO Court fees are reasonable and based on participants ability to pay.  
Comments:

#### EVIDENCE BASED PARACTICES:

YESXX NO Law enforcement is a member of the team  
Comments:

YESXX NO Team members are assigned for no less than two years.  
Comments:

.YESXX NO Team members use electronic communication.  
Comments:

YESXX NO Incentives and sanctions are in writing and shared with participants and other  
team members.

Comments:

YESXX NO

The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments:

YESXX NO

Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments:

YESXX NO

Participants are screened and not denied the program for mental health issues.

Comments:

YESXX NO

Eligibility criteria are written.

Comments:

YESXX NO

Treatment fees are based on a sliding fee schedule.

Comments:

YESXX NO

Program has policy dealing with challenges to drug tests.

Comments:

YESXX NO

Court has a written policy dealing with medically assisted treatment.

Comments:

YESXX NO

Clients are placed in program within 50 days of arrest.

Comments:

**BEST PRACTICES:**

YESXX NO

Treatment group is no more than 15 members.

Comments:

YESXX NO

Treatment is conducted in multiple phases.

Comments:

YESXX NO

Treatment and court phases are not dependent on each other.

Comments:

YESXX NO

Treatment addresses family, parenting, and education.

Comments:

YESXX NO

Participants have the aid of an attorney if requested.

Comments:

YESXX NO

Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

YESXX NO

Program conducts an exit interview for self improvement.

Comments:

YESXX NO

Program maintains adequate data for program monitoring.

Comments:

**STAFF MEMBER COMMENTS:** The comments were pretty much the same as in Judge Lee's Adult Drug Court. It is exactly the same staff. All claimed they could use some additional training which should have been provided at the state-wide drug court training.

**PARTICIPANT COMMENTS:** Other than comments concerning the difference in personality between Judge Lee and Judge Bagley all of the participants stated that the program was run well and really seemed to be helping them. They stated that each Judge had their strong points.

**Sevier County, Richfield, Adult Drug  
Court - Judge Lee**

**CERTIFICATION SITE VISIT**

**PROGRAM: SEVIER COUNTY, RICHFIELD, ADULT DRUG COURT**

**JUDGE: JUDGE LEE**

**NUMBER OF PARTICIPANTS: 18**

**DATE: JUNE 2013**

**REQUIRED:**

YESXX NO

Minimum length of program is twelve months.

Comments:

YESXX NO

Program requires at least 90 days clean to graduate.

Comments:

YESXX NO

Court has a participant agreement and waiver.

Comments:

YESXX NO

Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments:

YESXX NO Pros, Def, Treat, and Judge, at a minimum attend court sessions.  
Comments:

YESXX NO Staffing occurs prior to every court session.  
Comments:

YESXX NO Participants sign a release of confidentiality.  
Comments:

YES XX NO Court has written policies and procedures.  
Comments:

YESXX NO Eligibility criteria do not exclude non-drug charges.  
Comments:

YESXX NO Participants undergo a substance abuse assessment.  
Comments:

YESXX NO Participants undergo a criminogenic risk assessment.  
Comments:

YESXX NO Program uses RANT.  
Comments:

YESXX NO

Treatment is provided by a state licensed provider.

Comments:

YESXX NO

Gender specific treatment is provided.

Comments:

YESXX NO

Drug testing is frequent and random and performed at least twice per week.

Comments:

YESXX NO

Secular alternative to community support groups if required.

Comments:

YESXX NO

Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.

Comments:

YESXX NO

Judge spends an average of three minutes with each participant.

Comments:

YESXX NO

Program has more than 15 but less than 125 participants.

Comments:

YESXX NO

Program does not impose more than an average of three jail days as sanction.

Comment:

YESXX NO

Judge is leader of team and maintains an active role.

Comments:

YESXX NO

Court fees are reasonable and based on participants ability to pay.

Comments:

#### EVIDENCE BASED PARACTICES:

YESXX NO

Law enforcement is a member of the team

Comments:

YESXX NO

Team members are assigned for no less than two years.

Comments:

.YESXX NO

Team members use electronic communication.

Comments:

YESXX NO

Incentives and sanctions are in writing and shared with participants and other team members.

Comments:

YESXX NO The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments:

YESXX NO Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments:

YESXX NO Participants are screened and not denied the program for mental health issues.

Comments:

YESXX NO Eligibility criteria are written.

Comments:

YESXX NO Treatment fees are based on a sliding fee schedule.

Comments:

YESXX NO Program has policy dealing with challenges to drug tests.

Comments:

YESXX NO Court has a written policy dealing with medically assisted treatment.

Comments:

YESXX NO

Clients are placed in program within 50 days of arrest.

Comments:

**BEST PRACTICES:**

YESXX NO

Treatment group is no more than 15 members.

Comments:

YESXX NO

Treatment is conducted in multiple phases.

Comments:

YESXX NO

Treatment and court phases are not dependent on each other.

Comments:

YESXX NO

Treatment addresses family, parenting, and education.

Comments:

YESXX NO

Participants have the aid of an attorney if requested.

Comments:

YESXX NO

Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

YESXX NO

Program conducts an exit interview for self improvement.

Comments:

YESXX NO

Program maintains adequate data for program monitoring.

Comments:

**STAFF MEMBER COMMENTS:** Staff considers it a well run program. They use probation and a tracker for community supervision. It is basically the same team that is involved in Judge Bagley's Court. All of the team members felt like they could use some additional training. This was stated prior to the state-wide drug court training.

**PARTICIPANT COMMENTS:** They all had praise for the program.

**Weber County, Ogden, Adult Mental  
Health Court - Judge Hyde**

b. Determined eligibility criteria, monitoring mechanisms, and articulated clear, specific, and realizable goals. **COMPLIANT**

c. The planning committee designated members of an Advisory Group which monitor the court's adherence to its mission. **COMPLIANT**

**2. ELIGIBILITY CRITERIA ADDRESS PUBLIC SAFETY AND CONSIDER A COMMUNITY'S TREATMENT CAPACITY, IN ADDITION TO THE AVAILABILITY OF ALTERNATIVES TO PRETRIAL DETENTION FOR DEFENDANTS WITH MENTAL ILLNESS.**

a. Take into account the relationship between mental illness and a defendant's offenses. **COMPLIANT**

b. Specialized police based responses and pre-trial services programs. **N/A**

c. Closely coordinated with other problem solving courts such as drug court. **COMPLIANT**

**3. PARTICIPANTS ARE IDENTIFIED, REFERRED, AND ACCEPTED INTO MENTAL HEALTH COURTS, AND THEN LINKED TO COMMUNITY-BASED SERVICE PROVIDERS AS QUICKLY AS POSSIBLE.**

a. Welcome referrals from an array of sources such as law enforcement officers, jail and pretrial services staff, defense counsel, Judges, and family members. **COMPLIANT**

b. Advertise eligibility criteria and actively educates referral sources. **COMPLIANT**

c. The time required to accept someone into the program does not exceed the length of the sentence that someone would have received for the crime. **COMPLIANT**

d. Final determination of eligibility is a team decision. **COMPLIANT**

**4. TERMS OF PARTICIPATION ARE CLEAR, PROMOTE PUBLIC SAFETY, FACILITATE THE DEFENDANT'S ENGAGEMENT IN TREATMENT, ARE INDIVIDUALIZED TO CORRESPOND TO THE LEVEL OF RISK THAT THE DEFENDANT PRESENTS TO THE COMMUNITY, AND PROVIDE FOR POSITIVE LEGAL OUTCOMES FOR THOSE INDIVIDUALS WHO SUCCESSFULLY COMPLETE THE PROGRAM.**

a. There is a written treatment plan shared with the participant prior to entry into the program and the participant is made aware of noncompliance. COMPLIANT

b. Participants are made aware of all of the collateral consequences of a criminal conviction, i.e. housing, employment, future treatment. COMPLIANT

c. Length of program is not longer than maximum length of probation or incarceration the participant would have received. COMPLIANT

d. Intensity of supervision is determined by seriousness of the crime they committed. COMPLIANT

e. Length of the program is determined by the participant's progress in treatment. COMPLIANT

f. A participant is allowed to withdraw from the program, if in compliance, at any time without any adverse consequences. COMPLIANT

**5. DEFENDANTS FULLY UNDERSTAND THE PROGRAM REQUIREMENTS BEFORE AGREEING TO PARTICIPATE IN A MENTAL HEALTH COURT. THEY ARE PROVIDED LEGAL COUNSEL TO INFORM THIS DECISION AND SUBSEQUENT DECISIONS ABOUT PROGRAM INVOLVEMENT. PROCEDURES EXIST IN THE MENTAL HEALTH COURT TO ADDRESS, IN A TIMELY FASHION, CONCERNS ABOUT A DEFENDANT'S COMPETENCY WHENEVER THEY ARISE.**

a. Staff ensures that defendants fully understand the terms of participation, including the legal consequences if they do not adhere to the program conditions. COMPLIANT

b. Counsel is always present at a minimum when there is a risk of sanctions or removal from the program COMPLIANT

**6. MENTAL HEALTH COURTS CONNECT PARTICIPANTS TO COMPREHENSIVE AND INDIVIDUALIZED TREATMENT SUPPORTS AND SERVICES IN THE COMMUNITY.**

a. The program provides coordinated treatment for both mental illness and substance abuse if needed. COMPLIANT

b. The case-manager has a caseload that allows for the performance of core functions and allows for the monitoring of the overall condition of the participant. COMPLIANT

c. The program assures that treatment and services will remain available after court supervision ends. COMPLIANT

**7. HEALTH AND LEGAL INFORMATION SHOULD BE SHARED IN A WAY THAT PROTECTS POTENTIAL PARTICIPANTS' CONFIDENTIALITY RIGHTS AS MENTAL HEALTH CONSUMERS AND THEIR CONSTITUTIONAL RIGHTS AS DEFENDANTS.**

**a. The program adheres to federal and state laws that protect the confidentiality of medical, mental health, and substance abuse treatment records.**

**COMPLIANT**

**b. The court maintains clinical records separate from court files. COMPLIANT**

**c. Discussions involving clinical information in open court is avoided.**

**COMPLIANT**

**8. A TEAM OF CRIMINAL JUSTICE AND MENTAL HEALTH STAFF AND SERVICE AND TREATMENT PROVIDERS RECEIVES SPECIAL, ONGOING TRAINING AND HELPS MENTAL HEALTH COURT PARTICIPANTS ACHIEVE TREATMENT AND CRIMINAL JUSTICE GOALS BY REGULARLY REVIEWING AND REVISING THE COURT PROCESS.**

**a. The judge leads and encourages collaboration among the mental health court team. COMPLIANT**

**b. Team members take part in cross-training. COMPLIANT**

**c. The team attends national and/or in-state training and has the opportunity to observe the operation of other mental health courts. COMPLIANT**

**d. there is periodic review and revision of the court process. COMPLIANT**

**9. CRIMINAL JUSTICE AND MENTAL HEALTH STAFF COLLABORATIVELY MONITOR PARTICIPANTS' ADHERENCE TO COURT CONDITIONS, OFFER INDIVIDUALIZED GRADUATED INCENTIVES AND SANCTIONS, AND MODIFY TREATMENT AS NECESSARY TO PROMOTE PUBLIC SAFETY AND PARTICIPANTS' RECOVERY.**

**a. Court staff is informed of participant's progress from all agencies involved.**

**COMPLIANT**

**b. Sanctions are explained to participants prior to entering the program.**

**COMPLIANT**

**c. There are incentives for a participant that exceeds the expectations of the program. COMPLIANT**

**10. DATA IS COLLECTED AND ANALYZED TO DEMONSTRATE THE IMPACT OF THE MENTAL HEALTH COURT, ITS PERFORMANCE IS ASSESSED PERIODICALLY, COURT PROCESSES ARE INSTITUTIONALIZED, AND SUPPORT FOR THE COURT IN THE COMMUNITY IS CULTIVATED AND EXPANDED.**

**a. Court and treatment conduct an exit interview with participants.**

**COMPLIANT**

**b. The court has formulated and written policies and procedures. COMPLIANT**

**c. The court has a plan for continued funding. COMPLIANT**

**d. the court has a plan on how to respond to serious program failures.**

**COMPLIANT**

**ISSUE: COURT IS ACTIVELY INVOLVED IN TREATING VETERANS WITH MENTAL HEALTH PROBLEMS. HAS THE COOPERATION OF THE LOCAL VA AND HAS THE VJO AS AN ACTIVE MEMBER OF THE TEAM. THE JUDGE TAKES A VERY ACTIVE ROLE DURING STAFFING.**

**Salt Lake County, Salt Lake City,  
Adult Mental Health Court - Judge  
Boyden**

**SALT LAKE COUNTY, SALT LAKE CITY, ADULT MENTAL  
HEALTH COURT**

**JUDGE BOYDEN**

**NOVEMBER 2013**

Overview:

A. Authority: this review was conducted under the authority of CJA Rule 4-409 and the Judicial Council.

B. Purpose and Scope: the purpose of the review is to provide oversight and assistance to mental health courts operating in the State of Utah.

C. Methodology: The certification process included a review of the drug court policies, procedures and practices, and the (10) essential elements of a mental health court. Interviews were conducted with the mental health court staff, team members, and other persons involved in the operation of the mental health court.

D. Rating Criteria:

Compliant: Subject area was in compliance with standards.

Compliant with Comment: Subject area was in general compliance with standards but specific areas need to be addressed.

Non-compliant: Subject area has one or more significant problems with standards.

F. Mental Health Court Description: There are 36 participants in this court. It is modeled after Judge Atherton's Court. All of the necessary team members are present for both staffing and court. The program runs well. The team and the participants had only favorable remarks about the program.

H. The Ten (10) Essential Elements:

**1. A BROAD BASED GROUP OF STAKEHOLDERS REPRESENTING THE CRIMINAL JUSTICE, MENTAL HEALTH, SUBSTANCE ABUSE TREATMENT, AND RELATED SYSTEMS AND THE COMMUNITY GUIDES PLANNING AND ADMINISTRATION OF THE COURT.**

a. Used in design phase. **COMPLIANT**

b. Determined eligibility criteria, monitoring mechanisms, and articulated clear, specific, and realizable goals. COMPLIANT

c. The planning committee designated members of an Advisory Group which monitor the court's adherence to its mission. COMPLIANT

**2. ELIGIBILITY CRITERIA ADDRESS PUBLIC SAFETY AND CONSIDER A COMMUNITY'S TREATMENT CAPACITY, IN ADDITION TO THE AVAILABILITY OF ALTERNATIVES TO PRETRIAL DETENTION FOR DEFENDANTS WITH MENTAL ILLNESS.**

a. Take into account the relationship between mental illness and a defendant's offenses. COMPLIANT

b. Specialized police based responses and pre-trial services programs. N/A

c. Closely coordinated with other problem solving courts such as drug court. COMPLIANT

**3. PARTICIPANTS ARE IDENTIFIED, REFERRED, AND ACCEPTED INTO MENTAL HEALTH COURTS, AND THEN LINKED TO COMMUNITY-BASED SERVICE PROVIDERS AS QUICKLY AS POSSIBLE.**

a. Welcome referrals from an array of sources such as law enforcement officers, jail and pretrial services staff, defense counsel, Judges, and family members. COMPLIANT

b. Advertise eligibility criteria and actively educates referral sources. COMPLIANT

c. The time required to accept someone into the program does not exceed the length of the sentence that someone would have received for the crime. COMPLIANT

d. Final determination of eligibility is a team decision. COMPLIANT

**4. TERMS OF PARTICIPATION ARE CLEAR, PROMOTE PUBLIC SAFETY, FACILITATE THE DEFENDANT'S ENGAGEMENT IN TREATMENT, ARE INDIVIDUALIZED TO CORRESPOND TO THE LEVEL OF RISK THAT THE DEFENDANT PRESENTS TO THE COMMUNITY, AND PROVIDE FOR POSITIVE LEGAL OUTCOMES FOR THOSE INDIVIDUALS WHO SUCCESSFULLY COMPLETE THE PROGRAM.**

a. There is a written treatment plan shared with the participant prior to entry into the program and the participant is made aware of noncompliance. **COMPLIANT**

b. Participants are made aware of all of the collateral consequences of a criminal conviction, i.e. housing, employment, future treatment. **COMPLIANT**

c. Length of program is not longer than maximum length of probation or incarceration the participant would have received. **COMPLIANT**

d. Intensity of supervision is determined by seriousness of the crime they committed. **COMPLIANT**

e. Length of the program is determined by the participant's progress in treatment. **COMPLIANT**

f. A participant is allowed to withdraw from the program, if in compliance, at any time without any adverse consequences. **COMPLIANT**

**5. DEFENDANTS FULLY UNDERSTAND THE PROGRAM REQUIREMENTS BEFORE AGREEING TO PARTICIPATE IN A MENTAL HEALTH COURT. THEY ARE PROVIDED LEGAL COUNSEL TO INFORM THIS DECISION AND SUBSEQUENT DECISIONS ABOUT PROGRAM INVOLVEMENT. PROCEDURES EXIST IN THE MENTAL HEALTH COURT TO ADDRESS, IN A TIMELY FASHION, CONCERNS ABOUT A DEFENDANT'S COMPETENCY WHENEVER THEY ARISE.**

a. Staff ensures that defendants fully understand the terms of participation, including the legal consequences if they do not adhere to the program conditions. **COMPLIANT**

b. Counsel is always present at a minimum when there is a risk of sanctions or removal from the program **COMPLIANT**

**6. MENTAL HEALTH COURTS CONNECT PARTICIPANTS TO COMPREHENSIVE AND INDIVIDUALIZED TREATMENT SUPPORTS AND SERVICES IN THE COMMUNITY.**

a. The program provides coordinated treatment for both mental illness and substance abuse if needed. **COMPLIANT**

b. The case-manager has a caseload that allows for the performance of core functions and allows for the monitoring of the overall condition of the participant. **COMPLIANT**

c. The program assures that treatment and services will remain available after court supervision ends. **COMPLIANT**

**7. HEALTH AND LEGAL INFORMATION SHOULD BE SHARED IN A WAY THAT PROTECTS POTENTIAL PARTICIPANTS' CONFIDENTIALITY RIGHTS AS MENTAL HEALTH CONSUMERS AND THEIR CONSTITUTIONAL RIGHTS AS DEFENDANTS.**

**a. The program adheres to federal and state laws that protect the confidentiality of medical, mental health, and substance abuse treatment records.**

**COMPLIANT**

**b. The court maintains clinical records separate from court files. COMPLIANT**

**c. Discussions involving clinical information in open court is avoided.**

**COMPLIANT**

**8. A TEAM OF CRIMINAL JUSTICE AND MENTAL HEALTH STAFF AND SERVICE AND TREATMENT PROVIDERS RECEIVES SPECIAL, ONGOING TRAINING AND HELPS MENTAL HEALTH COURT PARTICIPANTS ACHIEVE TREATMENT AND CRIMINAL JUSTICE GOALS BY REGULARLY REVIEWING AND REVISING THE COURT PROCESS.**

**a. The judge leads and encourages collaboration among the mental health court team. COMPLIANT**

**b. Team members take part in cross-training. COMPLIANT**

**c. The team attends national and/or in-state training and has the opportunity to observe the operation of other mental health courts. COMPLIANT**

**d. there is periodic review and revision of the court process. COMPLIANT**

**9. CRIMINAL JUSTICE AND MENTAL HEALTH STAFF COLLABORATIVELY MONITOR PARTICIPANTS' ADHERENCE TO COURT CONDITIONS, OFFER INDIVIDUALIZED GRADUATED INCENTIVES AND SANCTIONS, AND MODIFY TREATMENT AS NECESSARY TO PROMOTE PUBLIC SAFETY AND PARTICIPANTS' RECOVERY.**

**a. Court staff is informed of participant's progress from all agencies involved. COMPLIANT**

**b. Sanctions are explained to participants prior to entering the program. COMPLIANT**

**c. There are incentives for a participant that exceeds the expectations of the program. COMPLIANT**

**10. DATA IS COLLECTED AND ANALYZED TO DEMONSTRATE THE IMPACT OF THE MENTAL HEALTH COURT, ITS PERFORMANCE IS ASSESSED PERIODICALLY, COURT PROCESSES ARE INSTITUTIONALIZED, AND SUPPORT FOR THE COURT IN THE COMMUNITY IS CULTIVATED AND EXPANDED.**

**a. Court and treatment conduct an exit interview with participants.**

**COMPLIANT**

**b. The court has formulated and written policies and procedures. COMPLIANT**

**c. The court has a plan for continued funding. COMPLIANT**

**d. the court has a plan on how to respond to serious program failures.**

**COMPLIANT**

**Salt Lake County, Salt Lake City,  
Juvenile Mental Health Court -  
Judge Nolan**

# **SALT LAKE COUNTY, SALT LAKE CITY, JUVENILE MENTAL HEALTH COURT**

**JUDGE NOLAN**

**OCTOBER 2013**

## **Overview:**

**A. Authority:** this review was conducted under the authority of CJA Rule 4-409 and the Judicial Council.

**B. Purpose and Scope:** the purpose of the review is to provide oversight and assistance to mental health courts operating in the State of Utah.

**C. Methodology:** The certification process included a review of the drug court policies, procedures and practices, and the (10) essential elements of a mental health court. Interviews were conducted with the mental health court staff, team members, and other persons involved in the operation of the mental health court.

## **D. Rating Criteria:**

**Compliant:** Subject area was in compliance with standards.

**Compliant with Comment:** Subject area was in general compliance with standards but specific areas need to be addressed.

**Non-compliant:** Subject area has one or more significant problems with standards.

**F. Mental Health Court Description:** Judge Nolan has been presiding over a Juvenile Mental Health Court for a number of years. He has a good grasp of the 10 essential elements of a Mental Health Court. Members of his team include:, Valley Mental Health, Jordan School District Program Specialist, DJJS Liaison, Defense Attorney, District Attorney, and a Program Coordinator. He has 14 active participants in the program.

## **H. The Ten (10) Essential Elements:**

**1. A BROAD BASED GROUP OF STAKEHOLDERS REPRESENTING THE CRIMINAL JUSTICE, MENTAL HEALTH, SUBSTANCE ABUSE TREATMENT, AND RELATED SYSTEMS AND THE COMMUNITY GUIDES PLANNING AND ADMINISTRATION OF THE COURT.**

a. Used in design phase. **COMPLIANT**

b. Determined eligibility criteria, monitoring mechanisms, and articulated clear, specific, and realizable goals. **COMPLIANT**

c. The planning committee designated members of an Advisory Group which monitor the court's adherence to its mission. **COMPLIANT**

**2. ELIGIBILITY CRITERIA ADDRESS PUBLIC SAFETY AND CONSIDER A COMMUNITY'S TREATMENT CAPACITY, IN ADDITION TO THE AVAILABILITY OF ALTERNATIVES TO PRETRIAL DETENTION FOR DEFENDANTS WITH MENTAL ILLNESS.**

a. Take into account the relationship between mental illness and a defendant's offenses. **COMPLIANT**

b. Specialized police based responses and pre-trial services programs. **N/A**

c. Closely coordinated with other problem solving courts such as drug court. **COMPLIANT**

**3. PARTICIPANTS ARE IDENTIFIED, REFERRED, AND ACCEPTED INTO MENTAL HEALTH COURTS, AND THEN LINKED TO COMMUNITY-BASED SERVICE PROVIDERS AS QUICKLY AS POSSIBLE.**

a. Welcome referrals from an array of sources such as law enforcement officers, jail and pretrial services staff, defense counsel, Judges, and family members. **COMPLIANT**

b. Advertise eligibility criteria and actively educates referral sources. **COMPLIANT**

c. The time required to accept someone into the program does not exceed the length of the sentence that someone would have received for the crime. **COMPLIANT**

d. Final determination of eligibility is a team decision. **COMPLIANT**

**4. TERMS OF PARTICIPATION ARE CLEAR, PROMOTE PUBLIC SAFETY, FACILITATE THE DEFENDANT'S ENGAGEMENT IN TREATMENT, ARE INDIVIDUALIZED TO CORRESPOND TO THE LEVEL OF RISK THAT THE DEFENDANT PRESENTS TO THE COMMUNITY, AND PROVIDE FOR POSITIVE LEGAL OUTCOMES FOR THOSE INDIVIDUALS WHO SUCCESSFULLY COMPLETE THE PROGRAM.**

a. There is a written treatment plan shared with the participant prior to entry into the program and the participant is made aware of noncompliance. **COMPLIANT**

b. Participants are made aware of all of the collateral consequences of a criminal conviction, i.e. housing, employment, future treatment. **COMPLIANT**

c. Length of program is not longer than maximum length of probation or incarceration the participant would have received. **COMPLIANT**

d. Intensity of supervision is determined by seriousness of the crime they committed. **COMPLIANT**

e. Length of the program is determined by the participant's progress in treatment. **COMPLIANT**

f. A participant is allowed to withdraw from the program, if in compliance, at any time without any adverse consequences. **COMPLIANT**

**5. DEFENDANTS FULLY UNDERSTAND THE PROGRAM REQUIREMENTS BEFORE AGREEING TO PARTICIPATE IN A MENTAL HEALTH COURT. THEY ARE PROVIDED LEGAL COUNSEL TO INFORM THIS DECISION AND SUBSEQUENT DECISIONS ABOUT PROGRAM INVOLVEMENT. PROCEDURES EXIST IN THE MENTAL HEALTH COURT TO ADDRESS, IN A TIMELY FASHION, CONCERNS ABOUT A DEFENDANT'S COMPETENCY WHENEVER THEY ARISE.**

a. Staff ensures that defendants fully understand the terms of participation, including the legal consequences if they do not adhere to the program conditions. **COMPLIANT**

b. Counsel is always present at a minimum when there is a risk of sanctions or removal from the program. **COMPLIANT**

**6. MENTAL HEALTH COURTS CONNECT PARTICIPANTS TO COMPREHENSIVE AND INDIVIDUALIZED TREATMENT SUPPORTS AND SERVICES IN THE COMMUNITY.**

a. The program provides coordinated treatment for both mental illness and substance abuse if needed. **COMPLIANT**

b. The case-manager has a caseload that allows for the performance of core functions and allows for the monitoring of the overall condition of the participant. **COMPLIANT**

c. The program assures that treatment and services will remain available after court supervision ends. **COMPLIANT**

**7. HEALTH AND LEGAL INFORMATION SHOULD BE SHARED IN A WAY THAT PROTECTS POTENTIAL PARTICIPANTS' CONFIDENTIALITY RIGHTS AS MENTAL HEALTH CONSUMERS AND THEIR CONSTITUTIONAL RIGHTS AS DEFENDANTS.**

**a. The program adheres to federal and state laws that protect the confidentiality of medical, mental health, and substance abuse treatment records.**

**COMPLIANT**

**b. The court maintains clinical records separate from court files. COMPLIANT**

**c. Discussions involving clinical information in open court is avoided.**

**COMPLIANT**

**8. A TEAM OF CRIMINAL JUSTICE AND MENTAL HEALTH STAFF AND SERVICE AND TREATMENT PROVIDERS RECEIVES SPECIAL, ONGOING TRAINING AND HELPS MENTAL HEALTH COURT PARTICIPANTS ACHIEVE TREATMENT AND CRIMINAL JUSTICE GOALS BY REGULARLY REVIEWING AND REVISING THE COURT PROCESS.**

**a. The judge leads and encourages collaboration among the mental health court team. COMPLIANT**

**b. Team members take part in cross-training. COMPLIANT**

**c. The team attends national and/or in-state training and has the opportunity to observe the operation of other mental health courts. COMPLIANT**

**d. there is periodic review and revision of the court process. COMPLIANT**

**9. CRIMINAL JUSTICE AND MENTAL HEALTH STAFF COLLABORATIVELY MONITOR PARTICIPANTS' ADHERENCE TO COURT CONDITIONS, OFFER INDIVIDUALIZED GRADUATED INCENTIVES AND SANCTIONS, AND MODIFY TREATMENT AS NECESSARY TO PROMOTE PUBLIC SAFETY AND PARTICIPANTS' RECOVERY.**

**a. Court staff is informed of participant's progress from all agencies involved.**

**COMPLIANT**

**b. Sanctions are explained to participants prior to entering the program.**

**COMPLIANT**

**c. There are incentives for a participant that exceeds the expectations of the program. COMPLIANT**

**10. DATA IS COLLECTED AND ANALYZED TO DEMONSTRATE THE IMPACT OF THE MENTAL HEALTH COURT, ITS PERFORMANCE IS ASSESSED PERIODICALLY, COURT PROCESSES ARE INSTITUTIONALIZED, AND SUPPORT FOR THE COURT IN THE COMMUNITY IS CULTIVATED AND EXPANDED.**

**a. Court and treatment conduct an exit interview with participants.**

**COMPLIANT**

**b. The court has formulated and written policies and procedures. COMPLIANT**

**c. The court has a plan for continued funding. COMPLIANT**

**d. the court has a plan on how to respond to serious program failures.**

**COMPLIANT**

**Box Elder County, Brigham City,  
Juvenile Mental Health Court - Judge  
Larry Jones**

# **BOX ELDER COUNTY, BRIGHAM CITY, JUVENILE MENTAL HEALTH COURT**

**JUDGE LARRY JONES**

**OCTOBER 2013**

## Overview:

A. Authority: this review was conducted under the authority of CJA Rule 4-409 and the Judicial Council.

B. Purpose and Scope: the purpose of the review is to provide oversight and assistance to mental health courts operating in the State of Utah.

C. Methodology: The certification process included a review of the drug court policies, procedures and practices, and the (10) essential elements of a mental health court. Interviews were conducted with the mental health court staff, team members, and other persons involved in the operation of the mental health court.

## D. Rating Criteria:

Compliant: Subject area was in compliance with standards.

Compliant with Comment: Subject area was in general compliance with standards but specific areas need to be addressed.

Non-compliant: Subject area has one or more significant problems with standards.

F. Mental Health Court Description: This is another one of our newer Mental Health Courts that needs some improvement. There is no staffing prior to court. Staffing occurs at treatment once per month and then the case manager gives a report in court. No staffing prior to court and treatment is not present during the court sessions. The case-manager reads the report from treatment to the judge, defense attorney and prosecutor prior to court.

## H. The Ten (10) Essential Elements:

**1. A BROAD BASED GROUP OF STAKEHOLDERS REPRESENTING THE CRIMINAL JUSTICE, MENTAL HEALTH, SUBSTANCE ABUSE TREATMENT, AND RELATED SYSTEMS AND THE COMMUNITY GUIDES PLANNING AND ADMINISTRATION OF THE COURT.**

**a. Used in design phase. COMPLIANT**

b. Determined eligibility criteria, monitoring mechanisms, and articulated clear, specific, and realizable goals. COMPLIANT

c. The planning committee designated members of an Advisory Group which monitor the court's adherence to its mission. COMPLIANT

**2. ELIGIBILITY CRITERIA ADDRESS PUBLIC SAFETY AND CONSIDER A COMMUNITY'S TREATMENT CAPACITY, IN ADDITION TO THE AVAILABILITY OF ALTERNATIVES TO PRETRIAL DETENTION FOR DEFENDANTS WITH MENTAL ILLNESS.**

a. Take into account the relationship between mental illness and a defendant's offenses. COMPLIANT

b. Specialized police based responses and pre-trial services programs. N/A

c. Closely coordinated with other problem solving courts such as drug court.  
COMPLIANT

**3. PARTICIPANTS ARE IDENTIFIED, REFERRED, AND ACCEPTED INTO MENTAL HEALTH COURTS, AND THEN LINKED TO COMMUNITY-BASED SERVICE PROVIDERS AS QUICKLY AS POSSIBLE.**

a. Welcome referrals from an array of sources such as law enforcement officers, jail and pretrial services staff, defense counsel, Judges, and family members.  
COMPLIANT

b. Advertise eligibility criteria and actively educates referral sources.  
COMPLIANT

c. The time required to accept someone into the program does not exceed the length of the sentence that someone would have received for the crime. COMPLIANT

d. Final determination of eligibility is a team decision. COMPLIANT

**4. TERMS OF PARTICIPATION ARE CLEAR, PROMOTE PUBLIC SAFETY, FACILITATE THE DEFENDANT'S ENGAGEMENT IN TREATMENT, ARE INDIVIDUALIZED TO CORRESPOND TO THE LEVEL OF RISK THAT THE DEFENDANT PRESENTS TO THE COMMUNITY, AND PROVIDE FOR POSITIVE LEGAL OUTCOMES FOR THOSE INDIVIDUALS WHO SUCCESSFULLY COMPLETE THE PROGRAM.**

a. There is a written treatment plan shared with the participant prior to entry into the program and the participant is made aware of noncompliance. COMPLIANT

b. Participants are made aware of all of the collateral consequences of a criminal conviction, i.e. housing, employment, future treatment. COMPLIANT

c. Length of program is not longer than maximum length of probation or incarceration the participant would have received. COMPLIANT

d. Intensity of supervision is determined by seriousness of the crime they committed. COMPLIANT

e. Length of the program is determined by the participant's progress in treatment. COMPLIANT

f. A participant is allowed to withdraw from the program, if in compliance, at any time without any adverse consequences. COMPLIANT

**5. DEFENDANTS FULLY UNDERSTAND THE PROGRAM REQUIREMENTS BEFORE AGREEING TO PARTICIPATE IN A MENTAL HEALTH COURT. THEY ARE PROVIDED LEGAL COUNSEL TO INFORM THIS DECISION AND SUBSEQUENT DECISIONS ABOUT PROGRAM INVOLVEMENT. PROCEDURES EXIST IN THE MENTAL HEALTH COURT TO ADDRESS, IN A TIMELY FASHION, CONCERNS ABOUT A DEFENDANT'S COMPETENCY WHENEVER THEY ARISE.**

a. Staff ensures that defendants fully understand the terms of participation, including the legal consequences if they do not adhere to the program conditions. COMPLIANT

b. Counsel is always present at a minimum when there is a risk of sanctions or removal from the program COMPLIANT

**6. MENTAL HEALTH COURTS CONNECT PARTICIPANTS TO COMPREHENSIVE AND INDIVIDUALIZED TREATMENT SUPPORTS AND SERVICES IN THE COMMUNITY.**

a. The program provides coordinated treatment for both mental illness and substance abuse if needed. COMPLIANT

b. The case-manager has a caseload that allows for the performance of core functions and allows for the monitoring of the overall condition of the participant. COMPLIANT

c. The program assures that treatment and services will remain available after court supervision ends. COMPLIANT

**7. HEALTH AND LEGAL INFORMATION SHOULD BE SHARED IN A WAY THAT PROTECTS POTENTIAL PARTICIPANTS' CONFIDENTIALITY RIGHTS AS MENTAL HEALTH CONSUMERS AND THEIR CONSTITUTIONAL RIGHTS AS DEFENDANTS.**

a. The program adheres to federal and state laws that protect the confidentiality of medical, mental health, and substance abuse treatment records.

**COMPLIANT**

b. The court maintains clinical records separate from court files. **COMPLIANT**

c. Discussions involving clinical information in open court is avoided.

**COMPLIANT**

**8. A TEAM OF CRIMINAL JUSTICE AND MENTAL HEALTH STAFF AND SERVICE AND TREATMENT PROVIDERS RECEIVES SPECIAL, ONGOING TRAINING AND HELPS MENTAL HEALTH COURT PARTICIPANTS ACHIEVE TREATMENT AND CRIMINAL JUSTICE GOALS BY REGULARLY REVIEWING AND REVISING THE COURT PROCESS.**

a. The judge leads and encourages collaboration among the mental health court team **NON-COMPLIANT**

b. Team members take part in cross-training. **COMPLIANT**

c. The team attends national and/or in-state training and has the opportunity to observe the operation of other mental health courts. **COMPLIANT**

d. there is periodic review and revision of the court process. **COMPLIANT**

**9. CRIMINAL JUSTICE AND MENTAL HEALTH STAFF COLLABORATIVELY MONITOR PARTICIPANTS' ADHERENCE TO COURT CONDITIONS, OFFER INDIVIDUALIZED GRADUATED INCENTIVES AND SANCTIONS, AND MODIFY TREATMENT AS NECESSARY TO PROMOTE PUBLIC SAFETY AND PARTICIPANTS' RECOVERY.**

a. Court staff is informed of participant's progress from all agencies involved.

**COMPLIANT**

b. Sanctions are explained to participants prior to entering the program.

**COMPLIANT**

c. There are incentives for a participant that exceeds the expectations of the program. **COMPLIANT**

**10. DATA IS COLLECTED AND ANALYZED TO DEMONSTRATE THE IMPACT OF THE MENTAL HEALTH COURT, ITS PERFORMANCE IS ASSESSED PERIODICALLY, COURT PROCESSES ARE INSTITUTIONALIZED, AND SUPPORT FOR THE COURT IN THE COMMUNITY IS CULTIVATED AND EXPANDED.**

**a. Court and treatment conduct an exit interview with participants.**

**COMPLIANT**

**b. The court has formulated and written policies and procedures. COMPLIANT**

**c. The court has a plan for continued funding. COMPLIANT**

**d. the court has a plan on how to respond to serious program failures.**

**COMPLIANT**

**ISSUES: THE PROGRAM DOES NOT STAFF PARTICIPANTS ACCORDING TO THE 10 ESSENTIAL ELEMENTS OF A MENTAL HEALTH COURT. IN FACT THERE IS NO REAL STAFFING PRIOR TO COURT. TREATMENT PROVIDES A WRITTEN REPORT TO THE CASE-MANAGER WHO THEN READS THE REPORT AT STAFFING TO THE JUDGE , DEFENSE ATTORNEY, AND PROSECUTOR. TREATMENT IS NOT EVEN PRESENT DURING THE COURT SESSIONS.**

**Emery County, Castledale, Adult Drug  
Court - Judge Johansen**

**CERTIFICATION SITE VISIT**

**PROGRAM: EMERY COUNTY ADULT DRUG COURT, CASTLE DALE**

**JUDGE: JOHANSEN**

**NUMBER OF PARTICIPANTS: 14 (2 just recently graduated and were looking at 3 new participants)**

**DATE: JULY 24, 2013**

**REQUIRED:**

YESXXX NO Minimum length of program is twelve months.

Comments:

YESXXX NO Program requires at least 90 days clean to graduate.

Comments:

YESXXX NO Court has a participant agreement and waiver.

Comments:

YESXXX NO

Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments: In addition AP&P, DCFS, Guardian ad Litem, Juvenile Probation, AG.

YESXXX NO

Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments: Same as above.

YESXXX NO

Staffing occurs prior to every court session.

Comments:

YESXXX NO

Participants sign a release of confidentiality.

Comments:

YESXXX NO

Court has written policies and procedures.

Comments:

YESXXX NO

Eligibility criteria do not exclude non-drug charges.

Comments:

YESXXX NO

Participants undergo a substance abuse assessment.

Comments:

YESXXX NO

Participants undergo a criminogenic risk assessment.

Comments:

YESXXX NO	Program uses RANT. Comments:
YESXXX NO	Treatment is provided by a state licensed provider. Comments: There has been much improvement.
YESXXX NO	Gender specific treatment is provided. Comments:
YESXXX NO	Drug testing is frequent and random and performed at least twice per week. Comments:
YESXXX NO	Secular alternative to community support groups if required. Comments:
YESXXX NO	Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase. Comments:
YESXXX NO	Judge spends an average of three minutes with each participant. Comments: Judge did an excellent job of conversing with the participants.
YESXXX NO	Program has more than 15 but less than 125 participants.

Comments:

YES NOXXX Program does not impose more than an average of three jail days as sanction.  
Comment: Judge is still a believer in lengthy jail stays as sanctions. His attitude is moderating slowly. Treatment and training are finally having an effect.

YESXXX NO Judge is leader of team and maintains an active role.

Comments:

YESXXX NO Court fees are reasonable and based on participants ability to pay.

Comments:

#### EVIDENCE BASED PARACTICES:

YESXXX NO Law enforcement is a member of the team  
Comments: However they might carry too much weight and they are too punitive.

YESXXX NO Team members are assigned for no less than two years.

Comments:

.YESXXXNO Team members use electronic communication.

Comments:

YESXXX NO

Incentives and sanctions are in writing and shared with participants and other team members.

Comments:

YESXXX NO

The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments:

YESXXX NO

Drug testing is available on weekends and holidays and all results are available and available in no more than two days.



Comments: Drug testing is available on Saturdays.

YESXXX NO

Participants are screened and not denied the program for mental health issues.

Comments:

YESXXX NO

Eligibility criteria are written.

Comments:

YESXXX NO

Treatment fees are based on a sliding fee schedule.

Comments:

YESXXX NO

Program has policy dealing with challenges to drug tests.

Comments:



YESXX NO

Court has a written policy dealing with medically assisted treatment.

Comments:

YESXX NO

Clients are placed in program within 50 days of arrest.

Comments:

**BEST PRACTICES:**

YESXX NO

Treatment group is no more than 15 members.

Comments:

YESXX NO

Treatment is conducted in multiple phases.

Comments:

YESXX NO

Treatment and court phases are not dependent on each other.

Comments:

YESXX NO

Treatment addresses family, parenting, and education.

Comments:

YESXX NO

Participants have the aid of an attorney if requested.

Comments:

YESXX NO

Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

YESXXX NO Program conducts an exit interview for self improvement.

Comments:

YESXXX NO Program maintains adequate data for program monitoring.

Comments:

STAFF MEMBER COMMENTS:

AP&P: The program could use some more participants. He likes the changes that have been occurring. Program is becoming less punitive and treatment is doing a much better job. He prefers to use drug court as a last chance kind of court.

TREATMENT: Thinks the tracker (law enforcement) is much too punitive and controlling. The Judge listens to the tracker too much. The Judge is slowly listening more to treatment for a therapeutic response to participant behavior. Too many participants are failing the program.

Participants: They think the program is running well. Treatment is better than it has ever been.

COMMENTS: Judge is still too punitive. The court has combined Adult Drug Court and Dependency Drug Court. The day I attended there were no Dependency clients. According to treatment there is one dependency client in the program. They are screening all clients to make sure they can be treated together as high risk, high needs. The Judge has modified somewhat from when I observed him two years ago. He is also planning on retiring at the end of the year.

RECOMMENDATION: CERTIFY AND GO BACK AND OBSERVE NEW JUDGE.

**Kane County, Kanab, Adult Drug  
Court - Judge Bagley**

**CERTIFICATION SITE VISIT**

**PROGRAM: KANE COUNTY, KANAB, ADULT DRUG COURT**

**JUDGE: JUDGE BAGLEY**

**NUMBER OF PARTICIPANTS: 14 BUT 25 ANTICIPATED**

**DATE: OCTOBER 2013**

**REQUIRED:**

YESXX NO

Minimum length of program is twelve months.

Comments:

YESXX NO

Program requires at least 90 days clean to graduate.

Comments:

YESXX NO

Court has a participant agreement and waiver.

Comments:

YESXX NO

Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments:

YESXX NO

Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments:

YESXX NO

Staffing occurs prior to every court session.

Comments:

YESXX NO

Participants sign a release of confidentiality.

Comments:

YESXX NO

Court has written policies and procedures.

Comments:

YESXX NO

Eligibility criteria do not exclude non-drug charges.

Comments:

YESXX NO

Participants undergo a substance abuse assessment.

Comments:

YESXX NO

Participants undergo a criminogenic risk assessment.

Comments:

YESXX NO

Program uses RANT.

		Comments:
YESXX	NO	Treatment is provided by a state licensed provider.
		Comments:
YESXX	NO	Gender specific treatment is provided.
		Comments:
YESXX	NO	Drug testing is frequent and random and performed at least twice per week.
		Comments:
YESXX	NO	Secular alternative to community support groups if required.
		Comments:
YESXX	NO	Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.
		Comments:
YESXX	NO	Judge spends an average of three minutes with each participant.
		Comments:
YES	NOXX	Program has more than 15 but less than 125 participants.

Comments: JUST STARTED OPERATING IN DECEMBER 2012 AND ANTICIPATING A TOTAL OF 25 PARTICPANTS.

YESXX NO Program does not impose more than an average of three jail days as sanction.  
Comment:

YESXX NO Judge is leader of team and maintains an active role.  
Comments:

YESXX NO Court fees are reasonable and based on participants ability to pay.  
Comments:

### EVIDENCE BASED PARACTICES:

YESXX NO Law enforcement is a member of the team  
Comments:

YESXX NO Team members are assigned for no less than two years.  
Comments:

.YESXX NO Team members use electronic communication.  
Comments:

YESXX NO Incentives and sanctions are in writing and shared with participants and other

team members.

Comments:

YESXX NO

The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments:

YESXX NO

Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments:

YESXX NO

Participants are screened and not denied the program for mental health issues.

Comments:

YESXX NO

Eligibility criteria are written.

Comments:

YESXX NO

Treatment fees are based on a sliding fee schedule.

Comments:

YESXX NO

Program has policy dealing with challenges to drug tests.

Comments:

YESXX NO

Court has a written policy dealing with medically assisted treatment.

Comments:

YESXX NO

Clients are placed in program within 50 days of arrest.

Comments:

### BEST PRACTICES:

YESXX NO

Treatment group is no more than 15 members.

Comments:

YESXX NO

Treatment is conducted in multiple phases.

Comments:

YESXX NO

Treatment and court phases are not dependent on each other.

Comments:

YESXX NO

Treatment addresses family, parenting, and education.

Comments:

YESXX NO

Participants have the aid of an attorney if requested.

Comments:

YESXX NO

Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

YESXX NO

Program conducts an exit interview for self improvement.

Comments:

YESXX NO

Program maintains adequate data for program monitoring.

Comments:

**STAFF MEMBER COMMENTS:** The program has a new prosecutor that is very supportive of drug court. He claims that all eligible participants are getting into drug court. The elected County Attorney gives him a lot of support. He does a lot of community activities giving talks about drug court.

The tracker thought they all could use some additional training concerning addiction.

Sheriff and jailer are part of the drug court team.

**PARTICIPANT COMMENTS:** They think they are being treated equally and fairly. They feel that there could be additional contact with the defense attorney.

**Recommendation:** The court is new with a Judge that has been presiding over two other Drug courts but only for the last few years. There is tremendous community support for this program. The Commission has pledged to continue funding this court.

**Summit County, Park City, Adult  
Drug Court - Judge Shaughnessy**

**CERTIFICATION SITE VISIT**

**PROGRAM: SUMMIT COUNTY, PARK CITY ADULT DRUG COURT**

**JUDGE: JUDGE SHAUGHNESSY**

**NUMBER OF PARTICIPANTS: 9**

**DATE: FERUARY 2013**

**REQUIRED:**

XX YES NO

Minimum length of program is twelve months.

Comments:

XX YES NO

Program requires at least 90 days clean to graduate.

Comments:

XX YES NO

Court has a participant agreement and waiver.

Comments:

XX YES NO

Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments:

XX YES NO

Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments:

XX YES NO

Staffing occurs prior to every court session.

Comments:

XX YES NO

Participants sign a release of confidentiality.

Comments:

XX YES NO

Court has written policies and procedures.

Comments:

XX YES NO

Eligibility criteria do not exclude non-drug charges.

Comments:

XX YES NO

Participants undergo a substance abuse assessment.

Comments:

XX YES NO

Participants undergo a criminogenic risk assessment.

Comments:

XX YES NO

Program uses RANT.

Comments: PROGRAM IS NEW ANSD IS EXPANDING. IT IS ANTICIPATED THAT THEY WILL HAVE AT LEAST 15 CLIENTS BY THE END OF THE FIRST YEAR OF OPERATION.

XX YES NO

Program does not impose more than an average of three jail days as sanction.

Comment:

XX YES NO

Judge is leader of team and maintains an active role.

Comments:

XX YES NO

Court fees are reasonable and based on participants ability to pay.

Comments:

## EVIDENCE BASED PARACTICES:

XX YES NO

Law enforcement is a member of the team

Comments: BOTH LAW-ENFORCEMENT AND AP&P ARE MEMBERS OF THE TEAM.

XX YES NO

Team members are assigned for no less than two years.

Comments:

.XX YES NO

Team members use electronic communication.

Comments:

YES XX NO

Incentives and sanctions are in writing and shared with participants and other team members.

Comments: IT WAS SUGGESTED THAT THEY SHOULD WRITE UP A SANCTION GRID AND SHARE IT WITH THE TEAM AND THE PARTICIPANTS.

XX YES NO

The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments:

XX YES NO

Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments:

XX YES NO

Participants are screened and not denied the program for mental health issues.

Comments:

XX YES NO

Eligibility criteria are written.

Comments:

XX YES NO

Treatment fees are based on a sliding fee schedule.

Comments:

XX YES NO

Program has policy dealing with challenges to drug tests.

Comments:

XX YES NO

Court has a written policy dealing with medically assisted treatment.

Comments:

XX YES NO

Clients are placed in program within 50 days of arrest.

Comments:

### **BEST PRACTICES:**

XX YES NO

Treatment group is no more than 15 members.

Comments:

XX YES NO

Treatment is conducted in multiple phases.

Comments:

XX YES NO

Treatment and court phases are not dependent on each other.

Comments:

XX YES NO

Treatment addresses family, parenting, and education.

Comments:

XX YES NO

Participants have the aid of an attorney if requested.

Comments:

XX YES NO Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

XX YES NO Program conducts an exit interview for self improvement.

Comments:

XX YES NO Program maintains adequate data for program monitoring.

Comments:

**STAFF MEMBER COMMENTS:**

**DEFENSE:** THE MORNING CALENDAR IS DIFFICULT. THE PROGRAM NEEDS SOME HELP WITH SANCTIONS AND INCENTIVES. THEY NEED TO BE APPLIED MORE OBJECTIVELY.

**TREATMENT:** DODI WHO NORMALLY RUNS TREATMENT WAS OUT ON LEAVE. THE PERSON FILLING IN HAD NO COMMENT ABOUT THE PROGRAM BECAUSE SHE HAD NOT BEEN INVOLVED LONG ENOUGH.

**PROSECUTION:** THINKS THE PROGRAM IS WORKING WELL.

**AP&P:** THOUGHT THE PROGRAM WAS WORKING WELL.

**PARTICIPANT COMMENTS:**

THE PARTICIPANTS THINK TREATMENT DOES A GOOD JOB.

THEY FEEL THE DRUG TESTING IS NOT WORKING. TOO MANY CLIENTS ARE CHEATING THE SYSTEM. THEY ALSO FEEL THAT SOMETIMES THERE IS TOO MUCH TESTING SUCH AS EVERY OTHER DAY.

THEY DO NOT THINK THE SANCTIONS ARE BEING APPLIED CONSISTENTLY.

SUGGESTIONS: WRITE UP A SANCTION AND INCENTIVE GRID AND SHARE IT WITH THE TEAM AND PARTICIPANTS.

JUDGE NEEDS TO BE FED MORE INFORMATION ABOUT THE CLIENTS SO HE CAN SPEND LONGER TALKING TO EACH PARTICIPANT.

NEEDS TO ASK TREATMENT FOR A REPORT IN THE COURT ROOM.

NEEDS TO ASK PARTICIPANTS HOW MANY CLEAN DAYS THEY HAVE AT EACH COURT SESSION.

**Cache County, Logan, Adult Drug  
Court - Judge Willmore**

**CERTIFICATION SITE VISIT**

**PROGRAM: CACHE COUNTY, LOGAN, ADULT DRUG COURT**

**JUDGE: WILLMORE**

**NUMBER OF PARTICIPANTS: 70**

**DATE: FEBRUARY 2013**

**REQUIRED:**

XX YES NO

Minimum length of program is twelve months.

Comments:

XX YES NO

Program requires at least 90 days clean to graduate.

Comments:

XX YES NO

Court has a participant agreement and waiver.

Comments:



XX YES NO

Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments:

XX YES NO

Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments:

XX YES NO

Staffing occurs prior to every court session.

Comments:

XX YES NO

Participants sign a release of confidentiality.

Comments:



XX YES NO

Court has written policies and procedures.

Comments:

XX YES NO

Eligibility criteria do not exclude non-drug charges.

Comments:

XX YES NO

Participants undergo a substance abuse assessment.

Comments:

XX YES NO

Participants undergo a criminogenic risk assessment.

Comments:



XX YES NO

Program uses RANT.

Comments:

XX YES NO

Treatment is provided by a state licensed provider.

Comments:

XX YES NO

Gender specific treatment is provided.

Comments:

XX YES NO

Drug testing is frequent and random and performed at least twice per week.

Comments:

XX YES NO

Secular alternative to community support groups if required.

Comments:

XX YES NO

Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.

Comments:

XX YES NO

Judge spends an average of three minutes with each participant.

Comments:

XX YES NO

Program has more than 15 but less than 125 participants.

Comments:

XX YES NO

Program does not impose more than an average of three jail days as sanction.

Comment: IT APPEARS THAT THE JUDGE HAS FINALLY AGREED TO ADHERE TO BEST EVIDENCE PRACTICES AND HAS ABANDONED THE IDEA THAT EVERYONE HAS TO SPEND THE FIRST THIRTY DAYS IN JAIL TO BE ELIGIBLE FOR THE PROGRAM.

XX YES NO

Judge is leader of team and maintains an active role.

Comments:

XX YES NO

Court fees are reasonable and based on participants ability to pay.

Comments:

### EVIDENCE BASED PARACTICES:

XX YES NO

Law enforcement is a member of the team  
Comments: AP&P REPRESENTS LAW ENFORCEMENT.

XX YES NO

Team members are assigned for no less than two years.

Comments:

.YES XX NO

Team members use electronic communication.

Comments: DEFENSE ATTORNEY CLAIMED THAT HE IS NOT RECEIVING ANY ELECTRONIC COMMUNICATIONS.

XX YES NO

Incentives and sanctions are in writing and shared with participants and other team members.

Comments:

XX YES NO

The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments: THE JUDGE CAN HOWEVER MOST SANCTIONS ARE IMPOSED AFTER STAFFING AND IN COURT.

XX YES NO

Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments:

XX YES NO

Participants are screened and not denied the program for mental health issues.

Comments:

XX YES NO

Eligibility criteria are written.

Comments:

XX YES NO

Treatment fees are based on a sliding fee schedule.

Comments:

XX YES NO

Program has policy dealing with challenges to drug tests.

Comments:

XX YES NO

Court has a written policy dealing with medically assisted treatment.

Comments:

XX YES NO

Clients are placed in program within 50 days of arrest.

Comments:

**BEST PRACTICES:**

XX YES NO

Treatment group is no more than 15 members.

Comments:

XX YES NO

Treatment is conducted in multiple phases.

Comments:

XX YES NO

Treatment and court phases are not dependent on each other.

Comments:

XX YES NO

Treatment addresses family, parenting, and education.

Comments:

XX YES NO

Participants have the aid of an attorney if requested.

Comments:

XX YES NO Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

YES XX NO Program conducts an exit interview for self improvement.

Comments: THEY CLAIMED THAT THEY WILL START CONDUCTING IN THE NEAR FUTURE.

XX YES NO Program maintains adequate data for program monitoring.

Comments:

**STAFF MEMBER COMMENTS:**

PROSECUTOR: WAS ASSIGNED TO THE DRUG COURT WITHOUT ANY PRIOR TRAINING. HE WAS ABLE TO SHADOW THE PREVIOUS PROSECUTOR PRIOR TO TAKING OVER THE ASSIGNMENT. PRIOR TO DRUG COURT HE HAD A SHORT ASSIGNMENT IN THE MENTAL HEALTH COURT. HE CLAIMED HE WAS JUST STARTING TO UNDERSTAND INCENTIVES AND SANCTIONS.

TREATMENT: THEY THINK THE PROGRAM IS OPERATING WELL. THEY ARE STARTING TO DEAL WITH A YOUNGER CLIENTELE WITH THE MEDIAN AGE BEING AROUND 30. THEY ARE CHARGING FEES BASED ON INCOME AND CLAIM THAT THE AGENCY IS WORKING WITH ALL THE PARTICIPANTS IN REGARDS TO FEES. IT IS THEIR IMPRESSION THAT SANCTIONS ARE BEING IMPOSED FAIRLY AND CONSISTENTLY. THEY ARE IN THE PROCESS OF TRYING TO START AN ALUMNI GROUP.

DEFENSE: THERE DOES NOT SEEM TO BE A PROBLEM GETTING ANY OF HIS CLIENTS INTO DRUG COURT. ONE OF THE PROBLEMS WITH THE PROGRAM IS THAT WHEN PARTICIPANTS ARE GIVEN JAIL TIME AS A SANCTION THE JAIL EXPECTS TO BE PAID BY THE CLIENT.

PARTICIPANT COMMENTS: THE PROGRAM IS A STRICTLY NO ASSOCIATION. SOMETIMES IT IS HARD FOR PARTICIPANTS TO GET RIDES TO TREATMENT AND COURT. THE AA PROGRAMS IN LOGAN DO NOT SEEM TO BE FRIENDLY TO DRUG COURT PARTICIPANTS. THEY THINK THAT THE FEES ARE TOO HIGH. THEY MADE THE COMMENT THAT THEY THINK THE INCENTIVES ARE PRETTY MINIMAL. THEY FEEL THAT EVEN AS THEY PROGRESS THROUGH THE PROGRAM THAT THE LEASH IS NEVER LOOSENED. THEY CLAIMED THAT IIF YOU MISSED THREE UA'S THEY WERE KICKED OUT OF THE PROGRAM.

SUGGESTIONS: THE PROGRAM OPERATES BASICALLY ON A THREE STRIKE AND YOU ARE OUT PRINCIPLE.  
IT WAS MY OBSERVATION THAT THE PROGRAM NEEDED MORE INCENTIVES. JUDGE SHOULD PROBABLY  
ASK TREATMENT FOR A REPORT IN COURT. TREATMENT MIGHT APPEAR TO BE A LITTLE ON THE  
PUNITIVE SIDE.

**Box Elder County Adult Drug Court -  
Judge Allen**

**CERTIFICATION SITE VISIT**

**PROGRAM: BOX ELDER COUNTY ADULT DRUG COURT**

**JUDGE: ALLEN**

**NUMBER OF PARTICIPANTS: 31**

**DATE: FEBRUARY 2013**

**REQUIRED:**

XX YES NO

Minimum length of program is twelve months.

Comments:

XX YES NO

Program requires at least 90 days clean to graduate.

Comments:

XX YES NO

Court has a participant agreement and waiver.

Comments:

XX YES NO

Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments:

XX YES NO

Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments:

XX YES NO

Staffing occurs prior to every court session.

Comments:

XX YES NO

Participants sign a release of confidentiality.

Comments:

XX YES NO

Court has written policies and procedures.

Comments:

XX YES NO

Eligibility criteria do not exclude non-drug charges.

Comments:

XX YES NO

Participants undergo a substance abuse assessment.

Comments:

XX YES NO

Participants undergo a criminogenic risk assessment.

Comments:

XX YES NO

Program uses RANT.

Comments:

XX YES NO

Treatment is provided by a state licensed provider.

Comments:

XX YES NO

Gender specific treatment is provided.

Comments:

XX YES NO

Drug testing is frequent and random and performed at least twice per week.

Comments:

XX YES NO

Secular alternative to community support groups if required.

Comments:

XX YES NO

Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.

Comments:

XX YES NO

Judge spends an average of three minutes with each participant.

Comments:

XX YES NO

Program has more than 15 but less than 125 participants.

Comments:

XX YES NO

Program does not impose more than an average of three jail days as sanction.

Comment:

XX YES NO

Judge is leader of team and maintains an active role.

Comments:

XX YES NO

Court fees are reasonable and based on participants ability to pay.

Comments:

## **EVIDENCE BASED PARACTICES:**

XX YES NO

Law enforcement is a member of the team

Comments: REPRESENTED BY AP&P

XX YES NO

Team members are assigned for no less than two years.

Comments:

XX .YES NO

Team members use electronic communication.

Comments: HOWEVER THERE IS NOT A WRITTEN PROGRESS REPORT PREPARED FOR STAFFING NEITHER IS THERE A REPORT PREPARED BY EMAIL. ALL INFORMATION IS PROVIDED ORALLY.

YES  NO

Incentives and sanctions are in writing and shared with participants and other team members.

Comments:

YES  NO

The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments: JUDGE WAITS TILL COURT AND STAFFING TO IMPOSE ANY KIND OF SANCTION.

YES  NO

Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments:

YES  NO

Participants are screened and not denied the program for mental health issues.

Comments:

YES  NO

Eligibility criteria are written.

Comments:

YES  NO

Treatment fees are based on a sliding fee schedule.

Comments:

YES  NO

Program has policy dealing with challenges to drug tests.

Comments:

XX YES NO Court has a written policy dealing with medically assisted treatment.

Comments:

XX YES NO Clients are placed in program within 50 days of arrest.

Comments:

**BEST PRACTICES:**

XX YES NO Treatment group is no more than 15 members.

Comments:

XX YES NO Treatment is conducted in multiple phases.

Comments:

XX YES NO Treatment and court phases are not dependent on each other.

Comments:

XX YES NO Treatment addresses family, parenting, and education.

Comments:

XX YES NO Participants have the aid of an attorney if requested.

Comments:

XX YES NO

Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

XX YES NO

Program conducts an exit interview for self improvement.

Comments:

XX YES NO

Program maintains adequate data for program monitoring.

Comments:

STAFF MEMBER COMMENTS: ALL STAFF THOUGHT THE PROGRAM WAS RUNNING WELL.

TREATMENT: THE PROGRAM NEEDS MORE INCENTIVES.

DEFENSE: THE PROGRAM NEEDS MORE STRUCTURED AA MEETINGS. THEY NEED A SUBSTITUTE JUDGE AVAILABLE WHEN JUDGE ALLEN HAS A LONG TRIAL.

PARTICIPANT COMMENTS: THEY ARE ONLY GIVEN ONE HOUR TO APPEAR TO GIVE A UA. THIS CAN CAUSE A PROBLEM FOR THOSE WHO ARE WORKING. NEED TO INCREASE THE TIME FRAME IN WHICH A PARTICIPANT CAN SHOW UP FOR THE TAKING OF A UA.

EVEN THOUGH COST SEEM TO BE ON A SLIDING FEE THE PARTICIPANTS ARE COMPLAINING THAT THERE ARE TOO MANY COST ASSOCIATED WITH THE PROGRAM.

PARTICIPANTS WOULD LIKE TO SEE AN ALUMNI GROUP STARTED.

SUGGESTIONS: THE PROGRAM WAS INSTRUCTED THAT THEY SHOULD AND COULD NOT HOLD PEOPLE BACK FOR LACK OF PAYMENT. THEY ASSURED ME THEY WOULD STOP THE PRACTICE.

**Wasatch County Adult Drug Court -  
Judge Pullan**

**CERTIFICATION SITE VISIT**

**PROGRAM: WASATCH COUNTY ADULT DRUG COURT**

**JUDGE: PULLEN**

**NUMBER OF PARTICIPANTS: 16**

**DATE: MARCH 2013**

**REQUIRED:**

XX YES NO

Minimum length of program is twelve months.

Comments:

XX YES NO

Program requires at least 90 days clean to graduate.

Comments:

XX YES NO

Court has a participant agreement and waiver.

Comments:

X YES NO

Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments:

XX YES NO

Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments:

XX YES NO

Staffing occurs prior to every court session.

Comments:

XX YES NO

Participants sign a release of confidentiality.

Comments:

XX YES NO

Court has written policies and procedures.

Comments:

XX YES NO

Eligibility criteria do not exclude non-drug charges.

Comments:

XX YES NO

Participants undergo a substance abuse assessment.

Comments:

XX YES NO

Participants undergo a criminogenic risk assessment.

Comments:

XX YES NO

Program uses RANT.

Comments:

XX YES NO

Treatment is provided by a state licensed provider.

Comments: COURT RECENTLY CHANGED PROVIDER TO WASATCH MENTAL HEALTH.

XX YES NO

Gender specific treatment is provided.

Comments:

XX YES NO

Drug testing is frequent and random and performed at least twice per week.

Comments:

XX YES NO

Secular alternative to community support groups if required.

Comments:

XX YES NO

Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.

Comments:

XX YES NO

Judge spends an average of three minutes with each participant.

Comments:

XX YES NO

Program has more than 15 but less than 125 participants.

Comments:

XX YES NO Program does not impose more than an average of three jail days as sanction.

Comment:

XX YES NO Judge is leader of team and maintains an active role.

Comments: JUDGE PULLEN DOES AN EXCELLENT JOB IN LEADING THE TEAM AND FOLLOWING BEST EVIDENCE PRACTICES.

XX YES NO Court fees are reasonable and based on participants ability to pay.

Comments:

## EVIDENCE BASED PARACTICES:

XX YES NO Law enforcement is a member of the team

Comments:

XX YES NO Team members are assigned for no less than two years.

Comments:

.XX YES NO Team members use electronic communication.

Comments:

XX YES NO Incentives and sanctions are in writing and shared with participants and other

team members.

Comments:

XX YES NO

The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments: HOWEVER THE JUDGE DOES NOT IMPOSE ANY SANCTIONS WITHOUT THE INPUT OF THE TEAM.

XX YES NO

Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments:

XX YES NO

Participants are screened and not denied the program for mental health issues.

Comments:

XX YES NO

Eligibility criteria are written.

Comments:

XX YES NO

Treatment fees are based on a sliding fee schedule.

Comments:

XX YES NO

Program has policy dealing with challenges to drug tests.

Comments:



XX YES NO

Court has a written policy dealing with medically assisted treatment.

Comments:

XX YES NO

Clients are placed in program within 50 days of arrest.

Comments:

**BEST PRACTICES:**

XX YES NO

Treatment group is no more than 15 members.

Comments:



XX YES NO

Treatment is conducted in multiple phases.

Comments:

XX YES NO

Treatment and court phases are not dependent on each other.

Comments:

XX YES NO

Treatment addresses family, parenting, and education.

Comments:

XX YES NO

Participants have the aid of an attorney if requested.

Comments:



XX YES NO

Participants are not removed from program for dirty ua if doing well otherwise.

STAFF MEMBER COMMENTS:

PROSECUTOR IS NEW TO THE PROGRAM SINCE JULY. HE HAS NOT HAD ANY SPECIFIC DRUG COURT TRAINING. HE IS LOOKING FORWARD TO THE STATE-WIDE TRAINING SCHEDULED FOR OCTOBER OF THIS YEAR. HE HAS EXPRESSED THE NEED TO TAKE IN MORE THAN 16 PARTICIPANTS AT ANY ONE TIME. DEFENSE COUNSEL WOULD LIKE TO SEE THE PROGRAM BE ABLE TO HANDLE MORE THAN 16 PARTICIPANTS. HE THINKS THE INCENTIVES AND SANCTIONS ARE BEING USED VERY WELL. HAS SOME COMMENTS ABOUT THE NEW TREATMENT AGENCY BEING TOO PUNITIVE BUT SEEMS TO BE BECOMING MORE REASONABLE THE MORE THEY PARTICIPATE IN DRUG COURT.

PROBATION IS STAFFED BY AP&P. HE THINKS THAT TREATMENT NEEDS TO GET UP TO SPEED IN REGARDS TO THEIR ROLE IN DRUG COURT. HE THINKS THERE IS VERY GOOD COMMUNICATION BETWEEN STAFF MEMBERS. THINKS THERE SHOULD BE MORE INCENTIVES IN THE PROGRAM. HE THINKS THERE SHOULD BE MORE COMMUNITY INVOLVEMENT.

LAW-ENFORCEMENT IS STAFFED BY JAIL PERSONNEL. THE JAIL DOES A LOT OF THE URINE TESTING. ONCE TEST RESULTS ARE OBTAINED HE EMAILS ALL OF THE RESULTS TO ALL OF THE TEAM MEMBERS. HE THINKS THE UA'S NEED TO BE MORE RANDOM IN SPITE OF THE PROGRAM HAVING A RANDOM COLOR CODE CALL IN. HE THINKS THE SHERIFF'S DEPARTMENT COULD HELP MORE WITH HOME VISITS. RIGHT NOW THE ELECTED SHERIFF SUPPORTS THE PROGRAM BUT DOES NOT WANT HIS DEPUTIES CONDUCTING HOME VISITS BECAUSE OF MANPOWER ISSUES.

TREATMENT TOOK OVER THE PROGRAM THE BEGINNING OF JANUARY 2013. THEY DO OFFER GENDER SPECIFIC TRAINING AND ARE FOLLOWING BEST EVIDENCE PRACTICES THEY CONDUCT 4 GROUPS PER WEEK WHICH RUN 2 HOURS PER GROUP. IT IS THEIR INTENTION TO START A 5<sup>TH</sup> GROUP.

XX YES NO Program maintains adequate data for program monitoring.

Comments:

XX YES NO Program conducts an exit interview for self improvement.

Comments:

Comments:

PARTICIPANT COMMENTS: ALL OF THE PARTICIPANTS ARE HAPPY WITH THE WAY THE PROGRAM IS GOING. THEY THINK TREATMENT MAY BE A LITTLE TOO HARD ON THEM AT THE PRESENT TIME. HOWEVER THEY MAY JUST BE USED TO THE PREVIOUS PROVIDER WHO WAS VERY LENIENT.

SUGGESTIONS: DURING THE STAFFING THE GROUP TALKED ABOUT A PARTICIPANT THAT WAS GOING TO BE REMOVED FROM THE PROGRAM. THE JUDGE PUT THE REVOCATION HEARING ON A SEPARATE CALENDAR AND NEVER CALLED THE DEFENDANT OUT TO TELL HIM IN OPEN DRUG COURT WHAT WAS GOING TO HAPPEN. THE JUDGE LOST THE OPPORTUNITY TO USE THE REVOCATION AS A LEARNING AND OR TREATMENT TOOL FOR THE REST OF THE PARTICIPANTS.

**Davis County Adult Drug Court -  
Judge Morris**

**CERTIFICATION SITE VISIT**

**PROGRAM: DAVIS COUNTY ADULT DRUG COURT**

**JUDGE: MORRIS**

**NUMBER OF PARTICIPANTS:**

**DATE: JANUARY 2013**

**REQUIRED:**

**XX YES NO** Minimum length of program is twelve months

**Comments:**

**XX YES NO** Program requires at least 90 days clean to graduate.

**Comments:**

**XX YES NO** Court has a participant agreement and waiver.

**Comments:**

**XX YES NO** Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments:

XX YES NO

Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments:

XX YES NO

Staffing occurs prior to every court session.

Comments:

XX YES NO

Participants sign a release of confidentiality.

Comments:

XX YES NO

Court has written policies and procedures.

Comments:

XX YES NO

Eligibility criteria do not exclude non-drug charges.

Comments:

XX YES NO

Participants undergo a substance abuse assessment.

Comments:

XX YES NO

Participants undergo a criminogenic risk assessment.

Comments:

XX YES NO

Program uses RANT.

Comments:

XX YES NO

Treatment is provided by a state licensed provider.

Comments:

XX YES NO

Gender specific treatment is provided.

Comments:

XX YES NO

Drug testing is frequent and random and performed at least twice per week.

Comments:

XX YES NO

Secular alternative to community support groups if required.

Comments:

XX YES NO

Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.

Comments:

XX YES NO

Judge spends an average of three minutes with each participant.

Comments:

XX YES NO

Program has more than 15 but less than 125 participants.

Comments:

XX YES NO

Program does not impose more than an average of three jail days as sanction.

Comment:

XX YES NO

Judge is leader of team and maintains an active role.

Comments:

XX YES NO

Court fees are reasonable and based on participants ability to pay.

Comments:

### EVIDENCE BASED PARACTICES:

XX YES NO

Law enforcement is a member of the team

Comments:

XX YES NO

Team members are assigned for no less than two years.

Comments:

XX YES NO

Team members use electronic communication.

Comments:

XX YES NO

Incentives and sanctions are in writing and shared with participants and other team members.

Comments:

YES    XX NO  
The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments: JUDGE PROBABLY CAN BUT DOES NOT. HE WAITS UNTIL HE HAS THE TEAM TOGETHER TO DISCUSS SANCTIONS.

XX YES NO  
Drug testing is available on weekends and holidays and all results are available in no more than two days.

Comments:

XX YES NO  
Participants are screened and not denied the program for mental health issues.

Comments:

XX YES NO  
Eligibility criteria are written.

Comments:

XX YES NO  
Treatment fees are based on a sliding fee schedule.

Comments:

XX YES NO  
Program has policy dealing with challenges to drug tests.

Comments:

XX YES NO

Court has a written policy dealing with medically assisted treatment.

Comments: AT TIME OF VISIT THE PROGRAM STILL REQUIRED ALL PARTICIPANTS TO BE OFF OF MAT BEFORE GRADUATION WAS ALLOWED.

XX YES NO

Clients are placed in program within 50 days of arrest.

Comments:

### BEST PRACTICES:

XX YES NO

Treatment group is no more than 15 members.

Comments:

XX YES NO

Treatment is conducted in multiple phases.

Comments:

XX YES NO

Treatment and court phases are not dependent on each other.

Comments:

XX YES NO

Treatment addresses family, parenting, and education.

Comments:

XX YES NO

Participants have the aid of an attorney if requested.

Comments:

XX YES NO

Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

XX YES NO Program conducts an exit interview for self improvement.

Comments:

XX YES NO Program maintains adequate data for program monitoring.

Comments:

STAFF MEMBER COMMENTS: ALL OF THE STAFF WAS HAPPY WITH THE WAY THE PROGRAM WAS RUNNING.

PARTICIPANT COMMENTS: THE PARTICIPANTS I TALKED TO STATE THE PROGRAM WAS RUN WELL AND WAS A LIFE SAVER FOR THEM. THEY HAD NO SUGGESTIONS ON HOW THE PROGRAM COULD BE RUN BETTER.

**Washington County Dependency Drug  
Court - Judge Staheli**

**CERTIFICATION SITE VISIT**

**PROGRAM: WASHINGTON COUNTY DEPENDENCY DRUG COURT**

**JUDGE: JUDGE STAHELJ**

**NUMBER OF PARTICIPANTS: 22**

**DATE: APRIL 9, 2013**

**REQUIRED:**

YES XX NO

Minimum length of program is twelve months.

Comments:

YESXX NO

Program requires at least 90 days clean to graduate.

Comments:

YESXX NO

Court has a participant agreement and waiver.

Comments:

YESXX NO

Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments:

YESXX NO

Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments:

YESXX NO

Staffing occurs prior to every court session.

Comments:

YESXX NO

Participants sign a release of confidentiality.

Comments:

YESXX NO

Court has written policies and procedures.

Comments:

YESXX NO

Eligibility criteria do not exclude non-drug charges.

Comments:

YESXX NO

Participants undergo a substance abuse assessment.

Comments:

YESXX NO

Participants undergo a criminogenic risk assessment.

Comments:

YESXX NO

Program uses RANT.

Comments:

YESXX NO

Treatment is provided by a state licensed provider.

Comments:

YESXX NO

Gender specific treatment is provided.

Comments:

YESXX NO

Drug testing is frequent and random and performed at least twice per week.

Comments:

YESXX NO

Secular alternative to community support groups if required.

Comments:

YESXX NO

Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.

Comments:

YES NOXX

Judge spends an average of three minutes with each participant.

Comments: Judge needs to spend more time with each participant. There needs to be more of a personal dialogue with each participant. Staff needs to make sure the Judge has specific information concerning treatment and life achievements or failures so there can be more of a dialogue.

YESXX NO

Program has more than 15 but less than 125 participants.

Comments:

YESXX NO

Program does not impose more than an average of three jail days as sanction.

Comment:

YES NOXX

Judge is leader of team and maintains an active role.

Comments: The Judge needs to take a much more active role in the management of this drug court. During staffing it appeared as if the Judge was not paying attention to the discussion concerning each client. She appeared to be looking at something on her phone. She was not actively involved in the discussion nor did she appear to be listening. There did not appear to be any resolution by the Judge concerning sanctions or incentives for any of the clients. It appeared that when staff left the meeting they did not have any idea of what was going to happen to any of the clients in court.

In discussions with the staff they stated that during the court session the Judge would routinely impose her own sanctions or forgo imposing sanctions even though the team had agreed on a course of conduct during staffing.

YES NOXX

Court fees are reasonable and based on participants ability to pay.

Comments: Even though this is a dependency drug court ordered by DCFS as part of re-unification the client has to pay \$30 per week for the Trackers. I was informed that if a client falls more than three weeks behind in fees than the Trackers will no longer drug test and the client can end up in jail with a sanction for missing a drug test.

Even though there were some waivers of fees there should not be any sanctions for someone that is doing well in the program and does not have the ability to pay and testing should never be suspended as a "sanction" or otherwise.

## EVIDENCE BASED PRACTICES:

YESXX NO

Law enforcement is a member of the team

Comments: The sheriff has assigned three full-time trackers to the program however the participants must pay \$30 per week to the program to pay for the trackers.

YESXX NO

Team members are assigned for no less than two years.

Comments: There is a stated commitment but it does not always seem to be the case.

.YES NOXX

Team members use electronic communication.

Comments: It was suggested to them to start using email to communicate during the week. There were no written or electronic reports provided to team members prior to staffing.

YESXX NO

Incentives and sanctions are in writing and shared with participants and other team members.

Comments: The incentives and sanctions are in writing and shared with everyone. However they have become too black and white and are enforced by the trackers without team involvement. Trackers are putting people in jail for a sanction prior to any team meeting or input which makes most sanction punitive and not therapeutic.

YES NOXX

The Judge can impose a sanction immediately and prior to the next

scheduled court hearing for inappropriate behavior.

Comments: It appears to be the trackers that are imposing sanctions without the prior approval of the team or the Judge.

YESXX NO

Drug testing is available on weekends and holidays and all results are available in no more than two days.

Comments:

YESXX NO

Participants are screened and not denied the program for mental health issues.

Comments:

YESXX NO

Eligibility criteria are written.

Comments: However they need to be reviewed and updated.

YESXX NO

Treatment fees are based on a sliding fee schedule.

Comments: No treatment fees are assessed.

YESXX NO

Program has policy dealing with challenges to drug tests.

Comments: The program has a policy however since the trackers are putting participants in jail if a test comes up dirty the participants do not seem to have the ability to challenge a test prior to sanctions being imposed.

YESXX NO

Court has a written policy dealing with medically assisted treatment.

Comments:

YESXX NO

Clients are placed in program within 50 days of arrest or as appropriate.

Comments:

## BEST PRACTICES:

YESXX	NO	Treatment group is no more than 15 members.	Comments:
YESXX	NO	Treatment is conducted in multiple phases.	Comments:
YESXX	NO	Treatment and court phases are not dependent on each other.	Comments:
YESXX	NO	Treatment addresses family, parenting, and education.	Comments:
YESXX	NO	Participants have the aid of an attorney if requested.	Comments:
YESXX	NO	Participants are not removed from program for dirty ua if doing well otherwise.	Comments:
YES	NOXX	Program conducts an exit interview for self improvement.	Comments: It was suggested to them and the treatment agency stated they would start doing one.
YESXX	NO	Program maintains adequate data for program monitoring.	Comments:

**STAFF MEMBER COMMENTS:** All of the staff made the comment that the Judge needs to take more of a leadership role.

Most of the staff felt that the trackers had too much influence and were too punitive. They did not like the idea that the trackers took it upon themselves to incarcerate participants without the input from the team, especially a therapeutic response from treatment.

Most of staff thought that the \$30 dollars per week charged by the trackers was too much and that the policy to not drug test if a participant fell 3 weeks behind and therefore had a dirty UA was inappropriate.

DCFS: Felt there was no consistency with imposition of sanctions. They felt there was too much arguing during staff meetings with nothing ever being resolved. They felt that the Judge was not following the recommendations of the drug court team and allowing too many participants to talk their way out of sanctions during the court session.

AG: The Judge was not spending enough time with each participant in court. They felt that Southwest Treatment has too much say as to who got into the program. If they do not want to treat the individual it seems they do not get into drug court. They felt the program was too punitive and that the trackers were locking participants up without first going through staffing. They also felt the program needed more Judicial leadership. They did not like the idea of requiring participants to pay for trackers and then if falling three weeks behind not being tested and having the UA considered dirty. They felt it would be beneficial to get reports prior to staff meeting.

Southwest Treatment: There was no team dynamic in dependency court. The Judge lacked leadership. The court was too punitive and there was not an adequate therapeutic response to client behavior. They felt that the dependency drug court was walking on egg shells and very close to failure. They felt there was a desperate need for a team meeting outside of court to discuss all the problems and conflicts.

Defense Counsel: Lack of leadership by the Judge. Felt that the trackers have too much influence. They thought that the \$30 dollars a week that the participants had to pay for the trackers was inappropriate.

**PARTICIPANT COMMENTS:** They felt that the trackers interfered with treatment. They also felt that there were inconsistencies among the trackers themselves. There seemed to be no set time for graduation. Did not like the fact they had to pay \$30 per week or go to jail if fell too far behind.

**Tooele Adult Drug Court -  
Judge Robert Atkins**

YESXX NO

Pros, Def, Treat, and Judge, at a minimum attend court sessions.

Comments:

YESXX NO

Staffing occurs prior to every court session.

Comments:

YESXX NO

Participants sign a release of confidentiality.

Comments:

YESXX NO

Court has written policies and procedures.

Comments:

YESXX NO

Eligibility criteria do not exclude non-drug charges.

Comments:

YESXX NO

Participants undergo a substance abuse assessment.

Comments:

YESXX NO

Participants undergo a criminogenic risk assessment.

Comments:

YESXX NO

Program uses RANT.

Comments:

YESXX NO

Treatment is provided by a state licensed provider.

Comments:

YES NOXX

Gender specific treatment is provided.

Comments: BUT THEY ARE IN THE PROCESS OF INSTITUTING.

YESXX NO

Drug testing is frequent and random and performed at least twice per week.

Comments:

YESXX NO

Secular alternative to community support groups if required.

Comments:

YESXX NO

Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase.

Comments:

YESXX NO

Judge spends an average of three minutes with each participant.

Comments:

YESXX NO

Program has more than 15 but less than 125 participants.

Comments:

YESXX NO

Program does not impose more than an average of three jail days as sanction.

Comment:

YESXX NO

Judge is leader of team and maintains an active role.

Comments:

YESXX NO

Court fees are reasonable and based on participants ability to pay.

Comments:

#### EVIDENCE BASED PARACTICES:

YES NOXX

Law enforcement is a member of the team  
Comments: HOWEVER PROBATION IS AN ACTIVE MEMBER OF THE TEAM.

YESXX NO

Team members are assigned for no less than two years.

Comments:

.YESXX NO

Team members use electronic communication.

Comments:

YESXX NO

Incentives and sanctions are in writing and shared with participants and other team members.

Comments:

YESXX NO The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments:

YESXX NO Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments:

YESXX NO Participants are screened and not denied the program for mental health issues.

Comments:

YESXX NO Eligibility criteria are written.

Comments:

YESXX NO Treatment fees are based on a sliding fee schedule.

Comments: THEY ARE MODIFYING THEIR FEE SCHEDULE AND DELETING THE PRACTICE OF ASSESSING A MINIMUM AMOUNT OF EARNINGS TO A PARTICIPANT.

YESXX NO Program has policy dealing with challenges to drug tests.

Comments:

YESXX NO Court has a written policy dealing with medically assisted treatment.

Comments:

YESXX NO

Clients are placed in program within 50 days of arrest.

Comments:

**BEST PRACTICES:**

YESXX NO

Treatment group is no more than 15 members.

Comments:

YESXX NO

Treatment is conducted in multiple phases.

Comments:

YESXX NO

Treatment and court phases are not dependent on each other.

Comments:

YESXX NO

Treatment addresses family, parenting, and education.

Comments:

YESXX NO

Participants have the aid of an attorney if requested.

Comments:

YESXX NO

Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

YESXX NO

Program conducts an exit interview for self improvement.

Comments:

YES XX NO

Program maintains adequate data for program monitoring.

Comments:

STAFF MEMBER COMMENTS: TOO MANY COMPLAINTS ABOUT THE FEES TREATMENT IS ASSESSING CLIENTS. SOME PARTICIPANTS ARE NOT FEELING SAFE IN TREATMENT BECAUSE TOO MANY DRUG DEALS GOING ON AT TREATMENT.

PARTICIPANT COMMENTS: TOO MUCH DRUG USE TAKING PLACE AT TREATMENT. NEED GENDER SPECIFIC TREATMENT.

RECOMMENDATIONS: JUDGE NEEDS TO SPEND MORE TIME WITH PARTICIPANTS.

GENDER SPECIFIC GROUPS.

FEES NEED TO BE ADJUSTED.

MORE ACTIVE PARTICIPATION OF TEAM MEMBERS IN COURT.

CONDITIONAL CERTIFICATION.

**Utah County Dependency Drug Court  
- Judge Mary Noonan**

**CERTIFICATION SITE VISIT**

**PROGRAM: UTAH COUNTY DEPENDENCY DRUG COURT, OREM**

**JUDGE: MARY NOONAN**

**NUMBER OF PARTICIPANTS: 8**

**DATE: AUGUST 2013**

**REQUIRED:**

**YESXX NO** Minimum length of program is twelve months.

**Comments:**

**YESXX NO** Program requires at least 90 days clean to graduate.

**Comments:**

**YESXX NO** Court has a participant agreement and waiver.

**Comments:**

**YESXX NO** Pros, Def, Treat, and Judge, at a minimum attend staffing.

Comments: IN ATTENDANCE ARE THE GAL, AG, COORDINATOR, TREATMENT, DCFS, AND PROMISE TREATMENT(PROVATE PROVIDER).

YESXX NO Pros, Def, Treat, and Judge, at a minimum attend court sessions.  
Comments: SAME AS ABOVE

YESXX NO Staffing occurs prior to every court session.  
Comments:

YESXX NO Participants sign a release of confidentiality.  
Comments:

YESXX NO Court has written policies and procedures.  
Comments:

YESXX NO Eligibility criteria do not exclude non-drug charges.  
Comments:

YESXX NO Participants undergo a substance abuse assessment.  
Comments:

YESXX NO Participants undergo a criminogenic risk assessment.  
Comments:

YESXX NO	Program uses RANT. Comments:
YESXX NO	Treatment is provided by a state licensed provider. Comments:
YESXX NO	Gender specific treatment is provided. Comments:
YESXX NO	Drug testing is frequent and random and performed at least twice per week. Comments:
YESXX NO	Secular alternative to community support groups if required. Comments:
YESXX NO	Participants appear a minimum of every other week in the first phase and no less than once per month in the final phase. Comments:
YESXX NO	Judge spends an average of three minutes with each participant. Comments:
YES NOXX	Program has more than 15 but less than 125 participants.

Comments: PROGRAM ONLY HAS 8 PARTICIPANTS AND CONSIDERS ITSELF FULL AT 10.

YESXX NO Program does not impose more than an average of three jail days as sanction.  
Comment:

YESXX NO Judge is leader of team and maintains an active role.  
Comments:

YESXX NO Court fees are reasonable and based on participants ability to pay.  
Comments:

#### EVIDENCE BASED PARACTICES:

YES NOXX Law enforcement is a member of the team  
Comments: DCFS TAKES THE PLACE OF LAW ENFORCEMENT AND CONDUCTS COMMUNITY SUPERVISION.

YESXX NO Team members are assigned for no less than two years.  
Comments:

.YESXX NO Team members use electronic communication.  
Comments:

YESXX NO Incentives and sanctions are in writing and shared with participants and other team members.

Comments:

YESXX NO The Judge can impose a sanction immediately and prior to the next scheduled court hearing for inappropriate behavior.

Comments:

YESXX NO Drug testing is available on weekends and holidays and all results are available and available in no more than two days.

Comments:

YESXX NO Participants are screened and not denied the program for mental health issues.

Comments:

YESXX NO Eligibility criteria are written.

Comments:

YESXX NO Treatment fees are based on a sliding fee schedule.

Comments:

YESXX NO Program has policy dealing with challenges to drug tests.

Comments:

YESXX NO

Court has a written policy dealing with medically assisted treatment.

Comments:

YESXX NO

Clients are placed in program within 50 days of arrest.

Comments:

### BEST PRACTICES:

YESXX NO

Treatment group is no more than 15 members.

Comments:

YESXX NO

Treatment is conducted in multiple phases.

Comments:

YES XX NO

Treatment and court phases are not dependent on each other.

Comments:

YESXX NO

Treatment addresses family, parenting, and education.

Comments:

YESXX NO

Participants have the aid of an attorney if requested.

Comments:

YESXX NO

Participants are not removed from program for dirty ua if doing well otherwise.

Comments:

YESXX NO Program conducts an exit interview for self improvement.

Comments:

YESXX NO Program maintains adequate data for program monitoring.

Comments:

STAFF MEMBER COMMENTS: ALL INVOLVED THINK IT IS AN EXCELLENT PROGRAM. THEY ALL REALLY LIKE THE JUDGE HOWEVER, THE JUDGE IS RETIRING.

PARTICIPANT COMMENTS: THE PARTICIPANTS ALL LOVE THE JUDGE AND THINK IT IS AN EXCELLENT PROGRAM.

RECOMMENDATIONS: OTHER THAN THE ISSUE OF THE NUMBER OF PARTICIPANTS THIS IS A GOOD PROGRAM AND SHOULD BE CERTIFIED.

**Davis County, Farmington, Adult  
Mental Health Court - Judge Dawson**

# **DAVIS COUNTY, FARMINGTON ADULT MENTAL HEALTH COURT**

**JUDGE DAWSON**

**OCTOBER 2013**

## **Overview:**

**A. Authority:** this review was conducted under the authority of CJA Rule 4-409 and the Judicial Council.

**B. Purpose and Scope:** the purpose of the review is to provide oversight and assistance to mental health courts operating in the State of Utah.

**C. Methodology:** The certification process included a review of the drug court policies, procedures and practices, and the (10) essential elements of a mental health court. Interviews were conducted with the mental health court staff, team members, and other persons involved in the operation of the mental health court.

## **D. Rating Criteria:**

**Compliant:** Subject area was in compliance with standards.

**Compliant with Comment:** Subject area was in general compliance with standards but specific areas need to be addressed.

**Non-compliant:** Subject area has one or more significant problems with standards.

**F. Mental Health Court Description:** The Davis County, Adult Mental Health Court has been in operation for approximately three years. They have 20 participants. They use a private probation service (Cliff and Barrel Probation Services). Staffing was excellent. Members of his team included: a Psychologist who acts as a mental health liaison, and works for Behavioral Health, a member of NAMI, Adult Probation and Parole, Coordinator, Davis County Attorney, Defense Counsel, and Law Enforcement.

## **H. The Ten (10) Essential Elements: a**

**1. A BROAD BASED GROUP OF STAKEHOLDERS REPRESENTING THE CRIMINAL JUSTICE, MENTAL HEALTH, SUBSTANCE ABUSE TREATMENT, AND RELATED SYSTEMS AND THE COMMUNITY GUIDES PLANNING AND ADMINISTRATION OF THE COURT.**

a. Used in design phase. **COMPLIANT**

b. Determined eligibility criteria, monitoring mechanisms, and articulated clear, specific, and realizable goals. **COMPLIANT**

c. The planning committee designated members of an Advisory Group which monitor the court's adherence to its mission. **COMPLIANT**

**2. ELIGIBILITY CRITERIA ADDRESS PUBLIC SAFETY AND CONSIDER A COMMUNITY'S TREATMENT CAPACITY, IN ADDITION TO THE AVAILABILITY OF ALTERNATIVES TO PRETRIAL DETENTION FOR DEFENDANTS WITH MENTAL ILLNESS.**

a. Take into account the relationship between mental illness and a defendant's offenses. **COMPLIANT**

b. Specialized police based responses and pre-trial services programs. **N/A**

c. Closely coordinated with other problem solving courts such as drug court. **COMPLIANT**

**3. PARTICIPANTS ARE IDENTIFIED, REFERRED, AND ACCEPTED INTO MENTAL HEALTH COURTS, AND THEN LINKED TO COMMUNITY-BASED SERVICE PROVIDERS AS QUICKLY AS POSSIBLE.**

a. Welcome referrals from an array of sources such as law enforcement officers, jail and pretrial services staff, defense counsel, Judges, and family members. **COMPLIANT**

b. Advertise eligibility criteria and actively educates referral sources. **COMPLIANT**

c. The time required to accept someone into the program does not exceed the length of the sentence that someone would have received for the crime. **COMPLIANT**

d. Final determination of eligibility is a team decision. **COMPLIANT**

**4. TERMS OF PARTICIPATION ARE CLEAR, PROMOTE PUBLIC SAFETY, FACILITATE THE DEFENDANT'S ENGAGEMENT IN TREATMENT, ARE INDIVIDUALIZED TO CORRESPOND TO THE LEVEL OF RISK THAT THE DEFENDANT PRESENTS TO THE COMMUNITY, AND PROVIDE FOR POSITIVE LEGAL OUTCOMES FOR THOSE INDIVIDUALS WHO SUCCESSFULLY COMPLETE THE PROGRAM.**

a. There is a written treatment plan shared with the participant prior to entry into the program and the participant is made aware of noncompliance. COMPLIANT

b. Participants are made aware of all of the collateral consequences of a criminal conviction, i.e. housing, employment, future treatment. COMPLIANT

c. Length of program is not longer than maximum length of probation or incarceration the participant would have received. COMPLIANT

d. Intensity of supervision is determined by seriousness of the crime they committed. COMPLIANT

e. Length of the program is determined by the participant's progress in treatment. COMPLIANT

f. A participant is allowed to withdraw from the program, if in compliance, at any time without any adverse consequences. COMPLIANT

**5. DEFENDANTS FULLY UNDERSTAND THE PROGRAM REQUIREMENTS BEFORE AGREEING TO PARTICIPATE IN A MENTAL HEALTH COURT. THEY ARE PROVIDED LEGAL COUNSEL TO INFORM THIS DECISION AND SUBSEQUENT DECISIONS ABOUT PROGRAM INVOLVEMENT. PROCEDURES EXIST IN THE MENTAL HEALTH COURT TO ADDRESS, IN A TIMELY FASHION, CONCERNS ABOUT A DEFENDANT'S COMPETENCY WHENEVER THEY ARISE.**

a. Staff ensures that defendants fully understand the terms of participation, including the legal consequences if they do not adhere to the program conditions. COMPLIANT

b. Counsel is always present at a minimum when there is a risk of sanctions or removal from the program. COMPLIANT

**6. MENTAL HEALTH COURTS CONNECT PARTICIPANTS TO COMPREHENSIVE AND INDIVIDUALIZED TREATMENT SUPPORTS AND SERVICES IN THE COMMUNITY.**

a. The program provides coordinated treatment for both mental illness and substance abuse if needed. COMPLIANT

b. The case-manager has a caseload that allows for the performance of core functions and allows for the monitoring of the overall condition of the participant. COMPLIANT

c. The program assures that treatment and services will remain available after court supervision ends. COMPLIANT

**7. HEALTH AND LEGAL INFORMATION SHOULD BE SHARED IN A WAY THAT PROTECTS POTENTIAL PARTICIPANTS' CONFIDENTIALITY RIGHTS AS MENTAL HEALTH CONSUMERS AND THEIR CONSTITUTIONAL RIGHTS AS DEFENDANTS.**

a. The program adheres to federal and state laws that protect the confidentiality of medical, mental health, and substance abuse treatment records.  
**COMPLIANT**

b. The court maintains clinical records separate from court files. **COMPLIANT**

c. Discussions involving clinical information in open court is avoided.  
**COMPLIANT**

**8. A TEAM OF CRIMINAL JUSTICE AND MENTAL HEALTH STAFF AND SERVICE AND TREATMENT PROVIDERS RECEIVES SPECIAL, ONGOING TRAINING AND HELPS MENTAL HEALTH COURT PARTICIPANTS ACHIEVE TREATMENT AND CRIMINAL JUSTICE GOALS BY REGULARLY REVIEWING AND REVISING THE COURT PROCESS.**

a. The judge leads and encourages collaboration among the mental health court team. **COMPLIANT**

b. Team members take part in cross-training. **COMPLIANT**

c. The team attends national and/or in-state training and has the opportunity to observe the operation of other mental health courts. **COMPLIANT**

d. there is periodic review and revision of the court process. **COMPLIANT**

**9. CRIMINAL JUSTICE AND MENTAL HEALTH STAFF COLLABORATIVELY MONITOR PARTICIPANTS' ADHERENCE TO COURT CONDITIONS, OFFER INDIVIDUALIZED GRADUATED INCENTIVES AND SANCTIONS, AND MODIFY TREATMENT AS NECESSARY TO PROMOTE PUBLIC SAFETY AND PARTICIPANTS' RECOVERY.**

a. Court staff is informed of participant's progress from all agencies involved.  
**COMPLIANT**

b. Sanctions are explained to participants prior to entering the program.  
**COMPLIANT**

c. There are incentives for a participant that exceeds the expectations of the program. **COMPLIANT**

**10. DATA IS COLLECTED AND ANALYZED TO DEMONSTRATE THE IMPACT OF THE MENTAL HEALTH COURT, ITS PERFORMANCE IS ASSESSED PERIODICALLY, COURT PROCESSES ARE INSTITUTIONALIZED, AND SUPPORT FOR THE COURT IN THE COMMUNITY IS CULTIVATED AND EXPANDED.**

**a. Court and treatment conduct an exit interview with participants.**

**COMPLIANT**

**b. The court has formulated and written policies and procedures. COMPLIANT**

**c. The court has a plan for continued funding. COMPLIANT**

**d. the court has a plan on how to respond to serious program failures.**

**COMPLIANT**

**An exceptional part of this program is the fact that they have a Psychologist who sits in on all the staffing and court sessions so that any mental health questions can be addressed and answered immediately.**

# TAB 4

## **APPLICATION FOR INITIAL PROJECT PLANNING APPROVAL FOR PROPOSED PROBLEM SOLVING COURT PROJECT**

Name/Working Title of Proposed Project: Juvenile Drug Court

Court Location: Third District Juvenile Court/West Jordan Courthouse/Salt Lake County

Application Submitted by: Don Leither/Drug Court Coordinator

1. Target Population

The Juvenile Drug Court will serve high risk/high need adolescents between the ages of 14 and 17 who have been adjudicated on drug and/or alcohol violations, or drug and/or alcohol related violations. The juveniles must score "moderate" or "high" on the PSRA (Pre-Screen Risk Assessment) as administered by the probation department and, through the process of a substance abuse clinical assessment utilizing best practice instruments inclusive of ASAM (American Society of Addiction Medicine), be assessed to have either a substance "abuse" or substance "dependence" Axis I disorder. The high risk/high need threshold will be determined through the PSRA and the clinical assessment processes.

2. Purpose/Goal of Project

The proposed Juvenile Drug Court in the West Jordan Courthouse - the west/southwest area of the Salt Lake Valley - would re-institute the Juvenile Drug Court previously held at that location, but discontinued in 2011 due to a significant reduction in funding for Juvenile Drug Courts across the state. Having a Juvenile Drug Court at the West Jordan location will serve the needs of youth and families residing in that area.

3. What is the size of the proposed project?

The court would serve youth and families residing in the west and southwest areas of the Salt Lake Valley, whoses cases are assigned to the judges and probation staff in that area. It is projected the court will serve an average of fifteen youth at any given time.

4. What is the anticipated impact on court staff, clerks and judges, and how will that need be met?

A review of judicial calendars, workloads, and clerical assignments indicate the additional workload can be absorbed by existing staff with minimal adjustments or modifications. Probation staff are already assigned to this population. The problem solving court will result in closer supervision and accountability for paerticipating youth.

5. Funding considerations/stakeholders

The stakeholders for this problem solving court, in addition to the judge and support staff, include the assigned district attorney, juvenile defense attorney, and the Local

Substance Abuse Authority and its treatment providers. These stakeholders are already involved in an existing Juvenile Drug Court in the downtown Salt Lake Valley, and are committed to the creation of a court in West Jordan. The Local Authority and treatment providers are very invested in the Juvenile Drug Court program and see it as a significant support to working with a difficult adolescent population.

Funding for this court will be provided through DSAMH and its annual awarding of treatment dollars for drug court populations. Through the re-instatement of previously lost/reduced Juvenile Drug Court funds, along with the partnership with the Local Authority and the treatment providers, this court can be operationalized and sustained.

**Trial Court Executive Comment:**

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Trial Court Executive

**Presiding Judge Comment:**

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Presiding Judge

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Applicant

# TAB 5



## Administrative Office of the Courts

Chief Justice Matthew B. Durrant  
Utah Supreme Court  
Chair, Utah Judicial Council

### MEMORANDUM

Daniel J. Becker  
State Court Administrator  
Raymond H. Wahl  
Deputy Court Administrator

**To:** Policy and Planning Committee  
**From:** Alison A. Adams-Perlac *alisonap@utcourts.gov*  
**Date:** December 6, 2013  
**Re:** CJA 4-101. Calendaring court sessions.

---

The Policy and Planning Committee seeks action by the Judicial Council on CJA 4-101. The Committee recommends that CJA 4-101 be repealed. The rule requires that clerks of court prepare court calendars for display in the courthouses of each jurisdiction. Because these calendars are now kept on the court website, this rule is no longer necessary.

The proposal, which is attached, was open for public comment for 45 days and no comments were received.

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efficient, and independent system for the advancement of justice under the law.

460 South State Street / POB 140241 / Salt Lake City, Utah 84114-0241 / 801-578-3821 / Fax: 801-578-3843 / email: alisonap@utcourts.gov

Rule 4-101.

Draft: July 29, 2013

1 **Rule 4-101. Calendaring court sessions.**

2 Intent:

3 To establish a procedure for calendaring court sessions and cases:

4 Applicability:

5 This rule shall apply to all trial courts of record.

6 Statement of the Rule:

7 (1) The clerk of court of record shall, prior to October 1 of each year, schedule the  
8 time for holding court for each court site within that court's jurisdiction:

9 (2) The clerk of court shall annually prepare a court calendar which shall include:

10 (A) The locations within that court's jurisdiction in which court will be held.

11 (B) The dates when court will be held.

12 (3) The calendar shall be submitted to the Administrative Office prior to October 1 of  
13 each year. Calendars shall run from January 1 through December 31 of the following  
14 year.

15 (4) The calendar shall be posted in a conspicuous location at the appropriate  
16 courthouse.

17

# TAB 7

Memorandum

TO: Management Committee

FROM: Ray Wahl, Staff, Standing Committee on Children and Family Law *RW*

RE: Co-Chair and Members

Date: December 3, 2013

Rule 1-205 (1)(B)(vii) requires that the co-chairs of the above standing committee represent both the District and Juvenile Courts. With the election of Judge Thomas Higbee to the Council, the Council must appoint another co-chair ((1)(C). Judge Paul Lyman has served on the committee and it is recommended that he be appointed as co-chair and serve with Judge Douglas Thomas, who has co-chaired the committee for quite some time. In addition, Judge Lyman has served one term on the committee and he need to be reappointed for a second term.

There is a need to fill the vacancy on the Standing Committee with another Juvenile Court Judge. Judge Sherene Dillion from 2<sup>nd</sup> District and Judge Renee Jimenez from the 3<sup>rd</sup> District have both submitted their names to serve. I know the Council is considering the appointment of Judge Jimenez to the Ethics Advisory Committee.

Various efforts have been made to recruit a full time mediator for the committee. These efforts have been unsuccessful. In order to advise policy issues, it is recommended that Nini Rich, Director of the Alternative Dispute Resolution program for the Administrative Office of the Courts, be considered for the committee. The Standing Committee asked me to check to see if Marcie Keck would serve. Her resume is attached. She presently serves on the Council's ADR Committee. She is willing to serve, already serves on the Child Custody subcommittee of the Standing Committee on Children and Family Law, but has told me that she occasionally will have conflicts with attending meetings on Friday, the day the standing committee has designated as their meeting date.

Cc: Judge Douglas Thomas

**MARCELLA L. KECK**  
825 East 4800 South, Suite 230  
Murray, Utah 84107  
Telephone (801) 261-5400

**Professional Background**

Mediator with legal background. Prior family law practice had an emphasis in divorce, modification, and child custody and visitation matters. Civil litigation practice had also included extensive personal injury and property damage tort litigation, representing both plaintiffs and defendants in both first and third party matters.

Director, Accord Mediation (1990--)  
Associate Instructor, University of Utah (1994--)  
Assistant Lecturer, Brigham Young University (1997-1998)  
Partner, Law Offices of Parken & Keck (1987-1990)  
Associate, Law Offices of Dart, Adamson & Parken (1983-1987)

**Professional/Civic Memberships and Affiliations**


Utah State Bar, Member  
Lawyer Referral Service Committee (Chair, 1989-1991)  
Alternative Dispute Resolution Committee (1990-present)  
Law & Clergy Committee  
Family Law Section Executive Committee (1994-present, Chair 1999/2000)  
Family Law Practitioner of the Year Award (2001)  
Judicial Council ADR Advisory Committee (1993-present)  
Association for Conflict Resolution, formerly:  
Academy of Family Mediators, Practitioner Member  
Society of Professionals in Dispute Resolution, Regular Member  
Utah Council on Conflict Resolution  
Utah Dispute Resolution, Volunteer Mediator  
Juvenile Court Mediation Program, Volunteer Mediator  
Salt Lake County Youth Services Advisory Board (1995-1998, Chair 1997/98)  
Literacy Action Center Board of Directors (1983-1992)  
Women Lawyers of Utah (1983-1992)

**Educational Background**

University of Utah College of Law (1983), Juris Doctor, Leary Scholar, Dean's List  
Graduate of Westminster College, Summa Cum Laude, Bachelor of Arts Degree in Behavioral Science with a counseling emphasis



**Mediation Training**

Pacific Family Mediation Institute, Divorce and Child Custody Mediator Training  
American Arbitration Association, Mediator Training  
Center for Conflict Resolution, Mediator Training  
Divorce Mediation Institute, Advance Mediator Training  
Dispute Resolution Center, Victim/Offender Mediator Training



**Key Bridge Foundation, ADA Mediator Training  
Mediation Training and Consultation Institute, Elder Care/Adult Guardianship Mediator  
Training**

**Numerous continuing education courses in a variety of areas, including family law, trial practice, conflict resolution, personal dynamics, and negotiation; Numerous presentations given in the areas of mediation and conflict resolution**



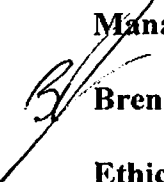
# TAB 8

# Administrative Office of the Courts

Chief Justice Matthew B. Durrant  
Utah Supreme Court  
Chair, Utah Judicial Council

Daniel J. Becker  
State Court Administrator  
Raymond H. Wahl  
Deputy Court Administrator

## MEMORANDUM

**To:** Management Committee and Judicial Council  
**From:**  Brent Johnson, General Counsel  
**Re:** Ethics Advisory Committee  
**Date:** November 27, 2013

Judge Julie Lund recently resigned from the Ethics Advisory Committee. The Committee therefore needs a new member to represent the interests of the Juvenile Court. The Board of Juvenile Court Judges solicited applications for the position. Judge Renee Jimenez was the only judge who expressed interest and the Board of Juvenile Court Judges recommends that Judge Jimenez be appointed to serve the remainder of Judge Lund's term.

I believe that Judge Jimenez will be an asset to the Committee given her interest in this topic. I therefore also recommend that Judge Jimenez be appointed to the Ethics Advisory Committee. The following is her bio from the court's website:

Judge Renee Jimenez was appointed to Third District Juvenile Court in May 2013 by Gov. Gary Herbert. She serves Salt Lake, Summit, and Tooele counties. Prior to her appointment to the bench, Judge Jimenez worked as a section chief for the Utah Attorney General's Office. Judge Jimenez earned a Bachelor of Science degree in Behavioral Science and Health from the University of Utah and received her law degree from the University of Utah College of Law.

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## Administrative Office of the Courts

Chief Justice Matthew B. Durrant  
Utah Supreme Court  
Chair, Utah Judicial Council

### MEMORANDUM

Daniel J. Becker  
State Court Administrator  
Raymond H. Wahl  
Deputy Court Administrator

**To:** Management Committee  
**From:** Alison A. Adams-Perlac  
**Date:** December 3, 2013  
**Re:** Language Access Committee Proposed New Member

---

The probation officer position on the Language Access Committee became vacant when Greg Johnson left the Courts. The Chief Probation Officers have recommended Megan Haney to fill Greg's position on the committee. Megan was recently promoted to Chief Probation Officer in the Third District Juvenile Court. She previously held the position of Probation Supervisor in which she had direct experience working with interpreters at various stages in the delinquency process. Prior to becoming a supervisor Megan was involved in the Delinquency Drug Court, the Mentoring Program, and also served as an intake and field probation officer.

It is recommended that Megan Haney be appointed to fill the probation officer vacancy on the Language Access Committee.

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efficient, and independent system for the advancement of justice under the law.

450 South State Street / POB 140241 / Salt Lake City, Utah 84114-0241 / 801-578-3821 / Fax: 801-578-3843 / email: aiscnap@utcourts.gov

# TAB 9

**Judicial Council Grant Application Proposal  
Code of Judicial Administration 3-41  
FEDERAL GRANTS**

Contact Person/Phone: Debra Moore 801-578-3571 Date: 11/8/2012

Judicial District or Location: AOC

Grant Title: Violence Against Women STOP Formula Grant 2012 Grantor: Office of Victims of Crime

Grant type (check one):  New  Renewal  Revision

Grant Level (check one):  Low  Med  High  
 Under \$1,000,000 \$1,000,000 to \$10,000,000 Over \$10,000,000

Issues to be addressed by the Project: Continue a single point of contact in the Administrative Office of the Courts to improve the response of district and justice courts statewide to domestic violence.

Explanation of how the grant funds will contribute toward resolving the issues identified: Expand part-time (30 hours a week) position in Administrative Office of the Courts to serve as point of contact (POC) for VAW issues. POC will (1) conduct outreach with all stakeholders. (2) actively participate with existing collaborative groups as appropriate. (3) share resources and provide objective and factual data. (4) conduct needs assessments and develop recommendations in conjunction with appropriate management staff and Boards of Judges. (5) review relevant data and performance measures and present reports to relevant groups.

Fill in the chart(s) for estimated state fiscal year expenditures for up to three years:

**CASH MATCH**

(PROVIDE EXPLANATION OF ALL MATCHES IN THE COMMENTS SECTION)

State Fiscal Year	Grant Amount	General Fund	Dedicated Credits	Restricted Funds	Other (Write In)	Maintenance of Effort	Total Funds
FY 2014	\$32,528					\$9,586	\$42,114
FY 2015	\$32,528					\$9,586	\$42,114
FY 2016	\$32,528					\$9,586	\$42,114

**IN-KIND MATCH**

(PROVIDE EXPLANATION OF ALL MATCHES IN THE COMMENTS SECTION)

State Fiscal Year	Grant Amount	General Fund	Dedicated Credits	Restricted Funds	Other (Write In)	Maintenance of Effort	Total Funds
FY 2014	\$32,528					\$3,338	\$35,866
FY 2015	\$32,528					\$3,338	\$35,866
FY 2016	\$32,528					\$3,338	\$35,866

Comments: The match will not require any increase in the state general fund budget. Cash match consists of time for existing staff to work on the project (salary + benefits), time spent attending training for existing staff, depreciation on state cars when used on occasion. In-kind match consists of office space and an intern.

Will additional state funding be required to maintain or continue this program or its infrastructure? Yes  No  If yes, explain: \_\_\_\_\_

Will the funds to continue this program come from within your existing budget? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A  X

How many additional permanent FTEs are required for the grant? \_\_\_\_\_ Temp FTEs: \_\_\_\_\_

This proposal has been reviewed and approved by the following:  
 The court executives and judges in the affected district(s)  
 The Grant Coordinator and the Budget Manager at the Administrative Office of the Courts  
 The affected Board(s) of Judges.

Approved by the Judicial Council \_\_\_\_\_ Date \_\_\_\_\_  
 by \_\_\_\_\_ Court Administrator

Copy forwarded to Legislative Fiscal Analyst \_\_\_\_\_ date \_\_\_\_\_

### VAWA COVER SHEET

2014 APPLICATION FOR: FORMULA GRANT		VAWA STATE OF	1. Subgrantee Agency Information	2.Amount Requested	\$65,055.67
UTAH Utah Office for Victims of Crime 350 East 500 South, Suite 200 Salt Lake City, Utah 84111 (801) 238-2360 FAX: (801)533-4127			Agency Name: Admin Off. Courts	<i>Section 2 will auto sum</i>	
			Address: 450 S. State St.	3. Contact Person (s)	
			City/Zip Code: Salt Lake City/84114	Name: Debra Moore	
			Phone Number:801-578-3800	Title/Position District Ct. Administrator	
			FAX Number:801-578-3843	Phone Number: 801-578-3800	
9. Purpose of Award - <i>check only one box</i>			10.Funding Category- <i>Check one</i>	E-Mail:debram@utcourts.gov	
<input type="checkbox"/>	Initiate a new Program		Law Enforcement		
X	Continuation of Grant# 12VAWA 01		Prosecution	Name: Valerie Paul	
<input type="checkbox"/>	NOT Funded by VAWA in previous year		Victim Services	Title/Position DV Program Coord.	
11. Type of Crime that the Project Focuses on:			Discretionary	Phone Number:801-578-3809	
<i>List # of victims in each type of Crime</i>		X	Courts	E-Mail: valeriep@utcourts.gov	
11907	Domestic Violence	#DIV/01	12. Type of Implementation Plan		4. Program Period
604	Stalking	#DIV/01	X	Criminal Justice Government	1/1/2014
727	Sexual Assault	#DIV/01		Non-Criminal Justice Govern	12/31/2014
				Private, Non-Profit	Program Begin Date
				Native American	Program End Date
				Other	5. Congressional District/Counties Served
13238 TOTAL					Statewide
<i>(Total &amp; Percents will auto calculate)</i>					
13. If Implementing Agency is a Criminal Justice Agency, which type?		14. Scope of Project- <i>Check one</i>		7. For this victim service project, Indicate	
<input type="checkbox"/>	Law Enforcement	X	State-wide	a. will auto calculate in FTE form	
<input type="checkbox"/>	Prosecution		Judicial Districts	# of paid Staff (FTE)	0.75
<input type="checkbox"/>	Probation		County/Counties	<i>FTE=Full Time Equivalent</i>	
<input type="checkbox"/>	Corrections		Local (City or Town)	8. Project Short Title of Name:	
X	Courts		Indian Tribe	Domestic Violence Program Coordinator	
<input type="checkbox"/>	Other (Describe)		Other-Describe		
15. Subgrant Match Financial Support from other non-Federal Sources		a. Source(s) of cash match	b. Source(s) of inkind match	Total Cash Match	19,172.99
		1. General Fund	1. General fund	Total InKind Match	6,675.00
		2	2 Volunteer	Total Value of Match	25,847.99
		3	3	<i>Match Section will auto sum</i>	
Minimum Match: \$ 21,685.22					
25% of total costs. Will auto sum					

**NOTE: Section 16 will auto calculate and sum following completion of Budget Detail and Match Worksheet**

16. Project Budget Summary	Total Costs	VAWA Costs	Cash Match	In-Kind Match
a. Personnel:	\$ 75,903.42	\$ 56,616.92	18,198.99	1,087.50
b. Contracted fees:	\$ 1,125.00	1,125.00	0.00	0.00
c. Equipment:	\$ -	0.00	0.00	0.00
d. Travel/training:	\$ 6,087.75	5,113.75	974.00	0.00
e. Supplies:	\$ 1,700.00	1700	0.00	0.00
f. Other:	\$ 6,087.50	500.00	0.00	5,587.50
<b>Total Costs:</b>	<b>\$ 90,903.67</b>	<b>\$ 65,055.67</b>	<b>19,172.99</b>	<b>6,675.00</b>

17. Official Authorized to Sign	
Name: DANIEL BECKER	
Position: STATE COURT ADMINISTRATOR	
Signature: <i>[Signature]</i>	
Date of Signature: 10/11/2013	

18. Program Director or Manager	
Name: Debra Moore	
Position: DIST. CT. ADMIN	
Signature: <i>[Signature]</i>	
Date of Signature: 10/11/13	

For UOVC use only
UOVC Approval

## REQUIRED VAWA QUESTIONS

**1. Project's Purpose Area(s):** Please indicate the approximate PERCENT of effort committed to each area. (Please add approximate percent for all area(s) that apply, not to exceed 100 percent total)

<input checked="" type="checkbox"/> 20 % Training	<input checked="" type="checkbox"/> 30 % Policies, Protocols, Orders and Services	<input checked="" type="checkbox"/> 40 % Coordination and Multi-Disciplinary
<input type="checkbox"/> % Victim Services	<input type="checkbox"/> % Indian Populations	<input type="checkbox"/> % Training Forensic Medical Personnel Examiners
<input type="checkbox"/> % Special Unit	<input type="checkbox"/> % Data/Communications Systems	<input type="checkbox"/> % Older and Disabled Women
<input checked="" type="checkbox"/> 10 % Stalking	<input type="checkbox"/> % Other: <span style="border: 1px dashed black; display: inline-block; width: 60px; height: 15px;"></span>	<input type="checkbox"/> % Immigration

**Percent Indicator**

100 %

Must equal 100%

**2. Who is directly attending, using or receiving project services or activities?** (Check all that apply)

<input type="checkbox"/> Law Enforcement	<input type="checkbox"/> Victims
<input type="checkbox"/> Prosecution	<input type="checkbox"/> Public Sector Victim Services Providers
<input checked="" type="checkbox"/> Court Personnel (judges, magistrates, clerks, etc.)	<input type="checkbox"/> Private Non-Profit Victim Services Providers
<input type="checkbox"/> Children/Youth (e.g., children of battered women residing in a shelter)	
<input type="checkbox"/> The General Public (e.g., public education or awareness designed to enhance services to women)	
<input type="checkbox"/> Other: (Please list) <span style="border: 1px dashed black; display: inline-block; width: 400px; height: 15px;"></span>	

**3. Type of service or activity provided by the project:** (Check all that apply)

**A. Victim Services:**

Direct services for victims designed to meet personal needs through counseling, therapy, safety planning, shelter, education/awareness, etc..

Individual case advocacy for specific victims focused on helping them through the criminal and civil justice systems or other systems such as financial aid, housing, employment, health care, etc.

Systems change advocacy (not related to individual victims) focused on promoting changes in justice and other systems to benefit all victims in general.

Other: (Please specify)

**B. Expanding Agency Capacity:** (complete this section if you checked ENHANCE an EXISTING PROGRAM on COVER SHEET)

Increase staffing       Purchase equipment or supplies       Enhance staff skills

Develop resource materials (e.g., notice of victims' rights or services, officers' or prosecutors' handbook benchbook, materials translated into another language, etc.)

Other: (Please specify)

**C. Enhance System-wide Capacity in the Community or State:**

Needs or resource assessment/planning       Provide technical assistance to other agencies

Enhance coordination/communication on a larger community or system-wide basis within disciplines (e.g., a project to establish a state-wide coalition of sexual assault victim service providers.)

Enhance coordination/communication on a larger community or system-wide basis across disciplines (e.g., a project to support a multidisciplinary coordinated community response in a city or county.)

Evaluates S.T.O.P. subgrant activities       Other:

**4. Indicate which populations are considered under-served in your area: (Check all that apply)**

There are NO under-served populations in this geographical area. (If checked, skip to question 7)

**A. Geographic Location:**

Rural area

Tribal area

Under-served urban area

Other: \_\_\_\_\_

**B. Racial/Ethnic Population:**

African-American

Asian-American

Hispanic

Pacific Islander

Native American

Other: \_\_\_\_\_

**C. Non-English Speaking:**

Spanish-speaking

Other: \_\_\_\_\_

Speakers of an Asian language

**D. Special Needs:**

Mentally/emotionally challenged women

Physically/medically challenged women

Older women

Migrant farm workers

Lesbians

Immigrants

Women @ risk (e.g., incarcerated, prostitutes, substance abusers, etc.)

Other: (Please Specify) \_\_\_\_\_

**5. Will this project EMPHASIZE (make specific efforts to reach or serve) an under-served population?**

NO

YES - this project will emphasize the following under-served population classifications:

**A. Geographic Location:**

Rural area

Tribal area

Under-served urban area

Other: \_\_\_\_\_

**B. Racial/Ethnic Population:**

African-American

Asian-American

Hispanic

Pacific Islander

Native American

Other: \_\_\_\_\_

**C. Non-English Speaking:**

Spanish-speaking

Other: \_\_\_\_\_

Speakers of an Asian language

**D. Special Needs:**

Mentally/emotionally challenged women

Physically/medically challenged women

Older women

Migrant farm workers

Lesbians

Immigrants

Women @ risk (e.g., incarcerated, prostitutes, substance abusers, etc.)

Other: (Please Specify) \_\_\_\_\_

**6. Which of the following methods will be used to reach or serve under-served populations? (Check all that apply)**

- Members of the community will be hired or used as staff or volunteers.
- Staff, volunteers and the use of a language line will assist in communication efforts.
- Materials in the appropriate language (including Braille and TTY services) will be provided to members of the population.
- Special outreach efforts will be made to reach members of the population, such as opening satellite offices.
- Staff or volunteers will receive training to increase cultural competence, such as training in norms and values of the relevant population.
- Special services tailored to their unique needs and appropriate to their culture will be provided to members of the population.
- The subgrantee agency or its affiliates will form collaborative partnerships with other agencies that serve or represent the population.
- The subgrantee agency or its affiliates is an agency that serves or represents the population.
- Other: (Please specify) \_\_\_\_\_

**7. Full Faith and Credit Issues:**

Does this project address INTRASTATE enforcement of protection orders - enforcement across the localities or tribes WITHIN A STATE?  YES  NO

Does this project address INTERSTATE enforcement of protection orders - enforcement across the localities or tribes of DIFFERENT STATES?  YES  NO

**8. Project Evaluation: (Check all that apply)**

**A. Who is evaluating the effectiveness of the project:**

- Subgrantee agency personnel  State agency awarding subgrant
- Independent evaluators

**B. How is the effectiveness of the project being evaluated:**

- Review of Subgrantee reports, phone contacts, and/or site visits for monitoring purposes.
- Collection and analysis of statistical systems data (e.g., arrest reports).
- Obtaining feedback on immediate impact before participants, attendees, users, or recipients leave the site of the service, training, etc.
- Obtaining feedback on longer-term impact on victims.
- Obtaining feedback on longer-term impact on professionals, agencies, coordination among agencies, etc.
- Other: (Please specify) \_\_\_\_\_



### FRINGE BENEFITS

Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are only personnel listed in "Budget Category A" and only for the percentage of time devoted to the project:

(1) List VAWA funded personnel by name

(2) Include all applicable benefit categories that VAWA will fund.

Abbreviate each category (FIC=FICA / MED=Medicare / INS=Insurance / UNE-Unemployment / RIT=Retirement / OTH=all other)

(3) List the total salary as shown in "Section A"

(4) Indicate the total fringe benefit percentage

PLEASE BE SURE TO INCLUDE THE PERCENTAGE Sign (example: 30%)

NOTE: This table will calculate and sum the total benefit for each position listed.

Name (or new if not yet hired)	List Benefit Type	Total Salary	Benefit %	Benefit Cost
Valerie Paul	State benefit package	40,732	39%	\$ 15,885.32
	INS (health, life, dental)			\$ -
	RIT			\$ -
	LTD (long term disability)			\$ -
	UNE			\$ -
	Work Comp			\$ -
	FIC			\$ -
	MED			\$ -
	Term Pool			\$ -
	401k			\$ -
	<b>TOTAL BENEFIT COST</b>			<b>\$ 15,885.32</b>
	<b>TOTAL PERSONNEL AND BENEFIT</b>			<b>\$ 56,616.92</b>

Please note: At the end of the Budget Section, you will find justification boxes which will allow you to provide additional information for any changes in financial requests in each funding

### CONTRACTED FEES

(1) Specify the type of consultant services or contracts needed

(2) List the total amount of hours dedicated to the project

(3) Indicate the rate of reimbursement.

The maximum reimbursement amount for contract fees is \$650/work day. All consultant services or contracts must be pre-authorized by UOVC and must be bid through proper channels.

	Type of Consultant Services or Contracts	Total Hours/etc	Rate	CONTRACTED FEES
1	Interpreters for trainings and material translatio	20	56	1125.00
2				0.00
3				0.00
4				0.00
5				0.00
6				0.00
	<b>TOTAL CONTRACTED FEES:</b>			<b>1,125.00</b>

### EQUIPMENT

List nonexpendable items that are to be purchased. Nonexpendable equipment is tangible property having a useful life of more than one (1) year and/or acquisition cost of \$1,000 or more per unit.

ALL APPLICANTS are required to fill out and sign the "Equipment Summary Section"

If equipment is used for other programs, cost must be shared with those programs.

(Example: Acquisition cost x 60% VAWA usage)

(1) List the equipment to be purchased

(2) List the VAWA usage percentage. Use the percentage sign in this area (%)

(3) Indicate the quantity

(4) Indicate the unit price

	ITEM	VAWA Use %	Quantity	Unit Price	Equipment Cost
1					0.00
2					0.00
3					0.00
4					0.00
<b>TOTAL EQUIPMENT COST:</b>					<b>0.00</b>

### TRAVEL

Include: (1) The travel destination and purpose

(2) The anticipated miles to be traveled

(3) The per-mile reimbursement rate (not to exceed \$0.56.5 for a private car or \$0.38 for an agency vehicle)

Each agency will be required to keep a current travel log with number of miles traveled, odometer reading, travel purpose, driver and signature

	Travel Destination/Purpose	Total Miles	Per-Mile Rate	TRAVEL COST
1	POC to selected counties for assessment/training/coalit	3000	\$0.38	1,140.00
2	POC to selected counties for assessment/training/coalit	750	\$0.57	423.75
3				0.00
4				0.00
<b>TOTAL TRAVEL COST</b>				<b>1,563.75</b>

### TRAINING

To complete this section, complete the "Detailed Training Worksheet" located at the end of this section

If more than one training is requested, fill out a new training box for each request.

All totals will carry forward to this section, by line number.

All applicant's are required to keep accurate documentation (receipts, agendas, etc.)

	Name of Training	Amount	# attending	# days	Extended amount
1	Crime Victims Conference	332	1	1	332.00
2	Meetings >50 from base	1245	1	1	1245.00
3	Unidentified DV conference	1973	1	1	1973.00
<b>TOTALS:</b>					<b>3,550.00</b>

**TOTAL TRAVEL/TRAINING**

**5,113.75**

### SUPPLIES

Supplies: (1) List items within this category by major type (e.g. office supplies, telephones, utilities, postage, etc)  
 Generally, supplies include materials that are expendable or consumed during the course of the project.  
 (2) List the quantity of the item (if quantity of item is unknown or difficult to determine, give best estimate.)  
 (3) List the unit price.  
 Large items should be separately listed and identified.

**NOTE:** Subgrantees must maintain detailed documentation of expenditures (receipts w/date, cost, etc.)

	Item & Description	Quantity	Unit Price	SUPPLIES COST
1	Office supplies - POC(bindings, pens)	1	200	200.00
2	Continuation of resource materials	3000	0.5	1500.00
3				0.00
4				0.00
5				0.00
<b>TOTAL SUPPLIES COST</b>				<b>1700.00</b>

### OTHER

Other funds, are monies that are allocated to assist victims of crime for emergency purposes (petty cash) and miscellaneous items.

Each agency may only receive emergency monies through one grant funding source. If you are requesting emergency monies, please check the box indicating that the only program that you receive this funding through is the STOP VAWA Formula Grant.

- (1) List the item and a brief description
- (2) List the quantity of the item
- (3) List the unit price

	Item & Description	Quantity	Unit Price	OTHER COST
1	Bar dues	1	\$500.00	500.00
2				0.00
3				0.00
<b>TOTAL OTHER COSTS</b>				<b>500.00</b>

**TOTAL VAWA GRANT COSTS: \$ 65,055.67**

Justify all VAWA funded changes requested from your current 12 VAWA 01 grant to your new VAWA request, as it pertains to your agency staff:

- A) Salary and/or fringe benefit increase / decrease
- B) Increase/Decrease in number of requested VAWA funded hours
- C) Change in VAWA funded staff and/or position adjustments
- D) New VAWA funded personnel

When indicating personnel changes, identify the change by specifying (A, B, C, D - as listed)

VAWA PERSONNEL NAME	CHANGE	EXPLANATION
	A, B, C, D	
Valerie Paul	A	Hourly wage increased to account for potential cost of living adjustments awarded by the courts to all personnel.

**NOTE: (WHY IS THIS NOT SUPPLANTING?)** Grant funds may not be used to replace state or local available or forthcoming for programs to combat violence against women. Instead, grant funds must be used to increase the total amount of funds used to combat violence against women.

If changes involve other issues, please list them and clearly specify the change requested.

**JUSTIFICATION FOR ANY OTHER VAWA FUNDED CHANGES**

CHANGE REQUESTED	EXPLANATION

## DETAILED TRAINING WORKSHEET

<b>Name and Location of Conference:</b> Crime Victims Conference					
<b>Who is hosting the conference</b>		Utah Office of Victims of Crime			
<b>Explain how this training will improve your VAWA funded project:</b> It provides a good opportunity to obtain updates in research and methods throughout the state, as well as networking with potential presenters and collaborators.					
<b>Name of Persons attending:</b> Valerie Paul					
<b>Detailed Training Conference Expense</b>					
1	Itemized list of expenses	Amount	# attending	# days	Extended amount
	Registration	\$150	1	1	\$150
	Hotel Fees	\$90	1	1	\$90.00
	Per Diem	\$46	1	2	\$92.00
	Cab				
	Travel Expense				
<b>TOTALS</b>					<b>332</b>

These totals will automatically fill and transfer to correct line in "Training" section

<b>Name and Location of Conference:</b> Attendance at meetings > 50 miles from base					
<b>Who is hosting the conference:</b> Various agencies					
<b>Explain how this training will improve your VAWA funded project:</b> Participating in coalitions increases awareness of local issues and allows for better collaboration between the court					
<b>Name of Persons attending:</b> Valerie Paul					
<b>Detailed Conference Expense</b>					
2	Itemized list of expenses	Amount	# attending	# days	Extended amount
	Registration				
	Hotel Fees	65	1	6	\$325.00
	Per Diem	46	1	20	\$920.00
	Cab				
	Travel Expense				
<b>TOTALS</b>					<b>\$1,245.00</b>

<b>Name and Location of Conference:</b> Conference not yet identified					
<b>Who is hosting the conference:</b> Not yet identified					
<b>Explain how this training will improve your VAWA funded project:</b> Ongoing training in advances in domestic violence is necessary to ensure that Utah best practices are consistent with national standards.					
<b>Name of Persons attending:</b>					
<b>Detailed Conference Expense</b>					
3	Itemized list of expenses	Amount	# attending	# days	Extended amount
	Registration	600	1	1	600
	Hotel Fees	245	1	3	735
	Per Diem	46	1	3	138
	Cab				0
	Travel Expense	500	1	1	500
<b>TOTALS</b>					<b>1973</b>

VAWA funded programs are required to provide 25 percent of the total program costs with non-VAWA and non-Federal funds. The program match must be complete, reasonable and cost-effective in relation to the proposed program.

**REMEMBER: In-kind** is a match associated with donating (ex: computer received through donation).  
**Cash** is a match associated with an exchange of money (ex: computer purchased for the program).

**TOTALS FOR EACH SECTION WILL AUTO SUM AND TRANSFER TO THE CONTRACT COVER SHEET**

**MATCH WORKSHEET**

**A. Personnel Match:** The personnel match section details costs with non-VAWA and non-Federally funded agency employees who provide services to the VAWA project.

- 1) List source of match;
- 2) List each employee by name and position
- 3) Indicate the number of hours used in calculating the cash match for this project; and
- 4) Indicate the hourly rate of reimbursement.
- 5) Match funds include any individuals assigned to the program whose salaries are NOT paid with VAWA or other federal funds.
- 6) Individuals whose salary/benefits are used as match, must appear within the grant and their work assignment must be clearly indicated to justify the match.

**THIS IS A CASH MATCH SECTION:**

**NOTE:** If personnel services are donated to the project, involving no cash exchange for services, the amounts should be listed under the Volunteer section of the Match worksheets as an in-kind match.

<b>List Source(s) of Match</b> (ex: United Way, County, etc):			Utah State Courts	
NAME	POSITION	TOTAL HOURS	HOURLY	TOTAL SALARY
Debra Moore	District Court Admin.	75.00	51.20	3,840.00
Patrick Ogden	Court Services	130.00	22.22	2,888.60
Tom Langhorne	Education Director	20.00	45.36	907.20
NA	Court Clerks and personnel	60.00	26.39	1,583.40
NA	Judges	60.00	64.56	3,873.60
<b>TOTAL VAWA MATCH HOURS:</b>			345.00	

**TOTAL PERSONNEL CASH MATCH** 13,092.80

**B. Fringe Benefits Match:** Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for personnel listed in the match Budget Category "A" and only for the percentage of time devoted to the project.

- 1) Indicate personnel name and/or position;
- 2) The total salary (not to exceed amounts in section A); and
- 3) The match fringe benefit percentage.

PLEASE BE SURE TO INCLUDE THE PERCENTAGE SIGN (ex: 30%)

This table will calculate the total match benefit automatically for each position listed.

**THIS IS A CASH MATCH SECTION (see Personnel match explanation, Section A).**

NAME	TOTAL SALARY	BENEFIT PERCENTAGE	BENEFIT COST
Debra Moore	3,840.00	39.00%	1,497.60
Patrick Ogden	2,888.60	39.00%	1,126.55
Tom Langhorne	907.20	39.00%	353.81
Court Clerks and Personnel	1,583.40	39.00%	617.53
Judges	3,873.60	39.00%	1,510.70

**TOTAL FRINGE BENEFIT CASH MATCH:** 5106.192

**TOTAL PERSONNEL/BENEFIT CASH MATCH:** 18,198.99

**C. Volunteers:** A volunteer is one who provides direct services for your program without receiving compensation.

- 1) List each volunteer by position and name (if possible);  
If there is more than one volunteer under the same position title, indicate approximate number of volunteers next to the position
- 2) Briefly describe the volunteer(s) duties;
- 3) Indicate the number of hours the volunteer(s) will spend on this program;
- 4) List the hourly rate at which the volunteer position is valued
- 5) The total volunteer match will calculate and sum automatically.

**THIS IS AN IN-KIND MATCH SECTION**

NAME/POSITION	DUTIES	TOTAL HOURS	HOURLY	VOLUNTEER
Intern	Reviewing data for	150	7.25	1087.5
				0
				0
				0
<b>TOTAL VOLUNTEER VALUE (In-Kind Match):</b>				<b>1087.5</b>

**D. Contracted Fees Match:**

- 1) List source of match;
- 2) Specify the type of consultant services or contracts needed;
- 3) List the amount of hours dedicated to the project; and
- 4) Indicate the hourly rate of match.

**THIS IS A CASH MATCH SECTION**

List Source(s) of Match: (ex: United Way, County, etc):		Utah State Courts	
Type of Consultant Services or Contracts	TOTAL HOURS/etc	RATE	CONTRACTED FEES
			0
			0
			0
<b>TOTAL CONTRACTED FEES (CASH MATCH):</b>			<b>0</b>

**THIS IS AN IN-KIND MATCH SECTION**

Type of Consultant Services or Contracts	TOTAL HOURS/etc	RATE	CONTRACTED FEES
			0
			0
			0
<b>TOTAL CONTRACTED FEES (IN-KIND MATCH):</b>			<b>0</b>

**E. Equipment**

- 1) List source of match;
- 2) List non-expendable items that have been donated for program use  
*Non-expendable equipment: Tangible property having useful life of more than 1 year and/or acquisition cost of \$1,000 or more per unit*
- 3) List the VAWA use percentage. Use the percentage (%) sign in the "VAWA % Use category".  
**NOTE:** If equipment is used for other programs, indicate shared % with those programs (ex: 60% VAWA use)
- 4) Indicate the quantity of equipment.
- 5) Indicate the unit price.

**THIS IS A CASH MATCH SECTION**

List Source(s) of Match: (ex: United Way, County, etc):			Utah State Courts	
ITEM	VAWA % USE	QUANTITY	UNIT PRICE	EQUIPMENT COST
				0
				0
				0
<b>TOTAL EQUIPMENT (CASH MATCH):</b>				<b>0</b>

(Equipment continued)		THIS IS AN IN-KIND MATCH SECTION		
List Source(s) of Match: (ex: United Way, County, etc):			Utah State Courts	
ITEM	VAWA % USE	QUANTITY	UNIT PRICE	EQUIPMENT COST
				0
				0
				0
<b>TOTAL EQUIPMENT</b>			<b>(IN-KIND MATCH):</b>	
			0	

**F. TRAVEL MATCH:** For travel match include:  
 1) Source of match;  
 2) The travel destination;  
 3) The number of miles to be traveled; and  
 4) The per-mile rate (Not to exceed \$0.55.5/mile or \$0.38/mile on agency vehicles)

THIS IS A CASH MATCH SECTION			
TRAVEL DESTINATION & PURPOSE	TOTAL MILES	PER-MILE	TRAVEL COST
Coalitions and trainings	1000	0.38	380
			0
			0
			0
<b>TOTAL TRAVEL</b>			<b>(CASH MATCH):</b>
			380

THIS IS AN IN-KIND MATCH SECTION			
TRAVEL DESTINATION & PURPOSE	TOTAL MILES	PER-MILE	TRAVEL COST
			0
			0
			0
			0
<b>TOTAL TRAVEL</b>			<b>(IN-KIND MATCH):</b>
			0

**G. TRAINING MATCH:** For training match include:  
 1) Conference name and category (ex: Hotel, Registration, etc.);  
 2) The number of people attending;  
 3) The number of anticipated days; and  
 4) The rate of hotel, registration, per diem, flight, etc (Please separate each cost)

THIS IS A CASH MATCH SECTION (SAME MAXIMUM RATES APPLY AS IN BUDGET SECTION)				
Conference Name & Category	Number of People Attending (if sharing rooms, cab, etc., list as 1 person)	Number of Days: enter 1 for registration, cab, flight, ect.	RATE: Hotel, registration, per diem, flight (check agency and state rates)	Training Cost
Hotel for presenters - Annual Jud	3	2	75.00	450.00
Food for presenters (breakfast an	3	2	24.00	144.00
				0.00
				0.00
				0.00
				0.00
				0.00
<b>TOTAL TRAINING</b>			<b>(CASH MATCH):</b>	
			594.00	

(Training continued)

**THIS IS AN IN-KIND MATCH SECTION  
(SAME MAXIMUM RATES APPLY AS IN BUDGET SECTION)**

Conference Name & Category	Number of People Attending (if sharing rooms, cab, etc., list as 1 person)	Number of Days: enter 1 for registration, cab, flight, ect.	RATE: Hotel, registration, per diem, flight (check agency and state rates)	Training Cost
				0
				0
				0
				0
				0
				0
				0
				0
<b>TOTAL TRAINING</b>			<b>(IN-KIND MATCH):</b>	<b>0</b>

<b>TOTAL TRAVEL/TRAINING CASH MATCH:</b>	974.00
<b>TOTAL TRAVEL/TRAINING IN-KIND MATCH:</b>	0

**H. Supplies Match:**

- 1) List source of match;
- 2) List items within this category by major type (ex: office supplies, phones, utilities, postage, etc)  
Generally, supplies include materials that are expendable or consumed during the course of the project
- 3) List the quantity of the item;
- 4) List the unit price.

**THIS IS A CASH MATCH SECTION**

List Source(s) of Match: (ex: United Way, County, etc):		Utah State Courts	
ITEM	QUANTITY	UNIT PRICE	SUPPLIES COST
			0
			0
			0
			0
			0
<b>TOTAL SUPPLIES</b>		<b>(CASH MATCH):</b>	<b>0</b>

**THIS IS A IN-KIND MATCH SECTION**

List Source(s) of Match: (ex: United Way, County, etc):			
ITEM	QUANTITY	UNIT PRICE	SUPPLIES COST
			0
			0
			0
			0
			0
<b>TOTAL SUPPLIES</b>		<b>(IN-KIND MATCH):</b>	<b>0</b>

**I. Other Match:** Other funds are those match monies that are allocated to assist victims of crime for emergency purposes (ex: petty cash) and miscellaneous items.

- 1) List source of match;
- 2) List the items;
- 3) List the quantity of the items; and
- 4) List the unit price

**THIS IS A CASH MATCH SECTION**

List Source(s) of Match: (ex: United Way, County, etc):		Utah State Courts	
ITEM	QUANTITY	UNIT PRICE	SUPPLIES COST
			0
			0
<b>TOTAL OTHERS (CASH MATCH):</b>			<b>0</b>

**THIS IS AN IN-KIND MATCH SECTION**

List Source(s) of Match: (ex: United Way, County, etc):		Utah State Courts	
ITEM	QUANTITY	UNIT PRICE	SUPPLIES COST
Office Space	250	18	4500
			0
<b>TOTAL OTHERS (IN-KIND MATCH):</b>			<b>4500</b>

**TOTAL CASH MATCH:** 19,172.99

**TOTAL IN-KIND MATCH:** 5,587.50

**TOTAL CASH & IN-KIND MATCH:** 24,760.49

If you are asking for continued funding, a comparison between your current grant award and and the new grant request is needed. Please fill out the Program Expenditure Comparison Section and explain the difference in the program expenses incurred during calendar 2013 and those anticipated during calendar year 2014.

**PROGRAM EXPENDITURE COMPARISON SUMMARY**

If you were funded during the 2013 grant year, (12VAWA 01), provide the following federal grant award figures. If you were not funded during the 2013 cycle, leave this section blank.

This year's funding will automatically appear in the column after you have completed the Budget Detail Worksheet of the grant application.

- (1) Enter last year's funding amounts;
- (2) Complete the VAWA funded personnel section; and
- (3) Justify the differences in expenses incurred during calendar year 2013 and those anticipated in 2014

**INCLUDE ONLY VAWA FEDERAL FUNDS**

Last Year's Project: 2013		This Year's Request: 2014		
Number of grant months		Number of grant months		
Funding Category	Amount	Funding Category	Amount	Difference
Personnel	60,085.74	Personnel	56,616.92	-3,468.82
Contracted Fees	4,500.00	Contracted Fees	1,125.00	-3,375.00
Equipment	0.00	Equipment	0.00	0.00
Travel/Training	12,317.00	Travel/Training	5,113.75	-7,203.25
Supplies	3,800.00	Supplies	1,700.00	-2,100.00
Other	500.00	Other	500.00	0.00
<b>Total Costs</b>	<b>81,202.74</b>	<b>Total Costs</b>	<b>65,055.67</b>	<b>-16,147.07</b>

**Last year's Personnel 2013 VAWA Funded Costs. NOTE: The total columns calculate automatically**

VAWA funded Employee	Position & Agency Hours	VAWA funded hrs	Hourly Rate	TOTAL Salary	Benefit Percent%	Total VAWA Funded Benefit	TOTAL VAWA (Salary & Benefit)
1) Valerie Paul	1560	1560	25.85	40,326.00	49%	19,759.74	60,085.74
2)				0		0.00	0.00
3)				0		0.00	0.00
4)				0		0.00	0.00
5)				0		0.00	0.00
<b>TOTAL VAWA FUNDED SALARY &amp; BENEFIT:</b>						<b>60,085.74</b>	
<b>Note: This total should equal the 2013 Personnel Amount</b>							

Please justify any differences on the form located on the next page

Justify (in detail) the differences in expenses incurred during 2013 and those anticipated during 2014  
Be sure to include reasons for the increases and clarify any possible supplanting issues.

SPACE IS LIMITED TO THE AREA BELOW.

The personnel amount has decreased due to a decreased percentage calculation for benefits. The hourly salary amount was increased to support a potential automatic cost of living adjustment that may be awarded by the courts to all personnel. Less funding is sought for judicial training, not because it is no longer necessary, but because we hope to obtain additional grants to support review and implementation of a training program for judges and judicial staff.

## VAWA FUNDED EQUIPMENT SUMMARY

This section requires all subgrantees requesting continued funding to list all VAWA purchased equipment received within the last 3 years. It includes purchased equipment that has been fully or partially funded through VAWA. If you have not been funded by VAWA within the last 3 years, leave this section blank. **DO NOT INCLUDE MATCH AMOUNTS.** (1) List all equipment paid fully or partially by VAWA; (2) specify the program year equipment was purchased (example: 2009-2010); (3) include the total equipment amount supported equipment (see example under part "3"); (5) ALL applicants are required to sign the summary, regardless of a request for equipment.

TYPE OF EQUIPMENT		PROGRAM YEAR PURCHASED	COST FUNDED by VAWA	TOTAL COST of EQUIPMENT
1	Computer	2012	\$857	\$857
2				
3				
4				
5				
6				

### EQUIPMENT INVENTORY REQUIREMENTS

Subgrantees are required to maintain, as part of the financial records of the grant, the following types of equipment management records for all equipment acquired in whole or part with grantor agency funds. At a minimum, management records must meet the following requirements:

- 1 Records must contain copies of purchase orders and invoices.
- 2 The records must include an inventory control listing for nonexpendable equipment, which must be kept current, and the records must contain:
  - a. Item description;
  - b. Source of equipment;
  - c. Manufacturer's serial number and, if applicable, control number;
  - d. Grantor agency funded cost equity at time of acquisition;
  - e. Acquisition date and cost;
  - f. Location, use and condition of property; and
  - g. Ultimate disposition data including sale price or the method used to determine current fair market value.
- 3 A physical inventory of all equipment costing more than \$300 per item shall be taken and the results reconciled with the equipment record to verify the existence, current utilization and continued need for the equipment. The result of the inventory must be forwarded to the state for review and concurrence, and shall become part of the official grant file.
- 4 A control system shall be in effect to ensure adequate safeguards to prevent loss, damage or theft to nonexpendable equipment. Any loss, damage or theft of nonexpendable equipment shall be investigated, fully documented and made part of the official grant file.
- 5 Adequate maintenance procedures shall be established to keep the nonexpendable equipment in good condition.
- 6 Proper sales procedures which would provide for competition to the maximum extent practical and result in the highest possible return shall be established for unneeded nonexpendable equipment.
- 7 Records for nonexpendable equipment which has been acquired in whole or in part with federal grant funds must be retained for three years after final disposition of the nonexpendable equipment.
- 8 A copy of your agency's equipment inventory requirements shall be submitted to OCVR with the final Quarterly Progress Report (due January 30, 2012).

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.



Signature

10/11/2012

Date

## A. STATEMENT OF PROBLEM, NEED AND TARGET POPULATION

The purpose of this section is to develop a clear, concise picture of the problem and present those ideas to the grant reader.

PAY SPECIAL ATTENTION AS YOU EXPLAIN THE PURPOSE/FOCUS OF THIS GRANT  
REFER BACK TO THIS STATEMENT AS YOU DEVELOP YOUR GRANT

ADDITIONALLY: PROVIDE COMPLETE ANSWERS TO QUESTION –  
BE SURE YOUR ANSWERS ARE CLEAR, ACCURATE AND ADDRESS EACH OF THE FIVE QUESTIONS BEING ASKED. These questions include:

- (1) Describe the geographic area to be serviced by the program.
- (2) Discuss the nature and scope of the problem in your program service area. If the problem is the result of many factors, these factors should be analyzed and discussed. Provide statistical information such as violent crime rates, gaps in victim services, etc.
- (3) Be sure to clearly address the core victim needs in the designated location.
- (4) List and describe barriers that might be encountered that prohibit or make it difficult to provide client service and to ensure safety.
- (5) Indicate the group(s) of victim(s) your program will target for its services (example: non-reporting victims, underserved populations, rape victims, etc.)

PLEASE DO NOT CHANGE THE FONT TYPE OR SIZE. (FONT TYPE: ARIEL, FONT SIZE: 10pt)  
If you need additional space to clarify your answer, please attach an additional sheet of paper and clearly indicate at the top of the page what question is being addressed.

**CLEARLY EXPLAIN THE PURPOSE/FOCUS OF THIS GRANT:** To continue the domestic violence program coordinator position within the Administrative Office of the Courts in order to increase consistency and effectiveness in domestic violence and stalking cases.

1. Describe the geographic area to be served by the program in the area below. (Provide number of sq. miles, size of city and county, population, density, poverty level, ethnic breakdown, age breakdown, number of children, senior population, university, major industries, and any other stats that are pertinent to your area)

The program is designed to serve the state of Utah in all 8 judicial districts. The state covers 84,899 square miles, divided into 29 counties. The population is estimated to be 2,855,287, US Census 2012 population estimate, the density is 33.6 persons per square mile and the median age is 29.2. The median household income is \$57,783 and 8.3% live under the poverty level. US Census 2012 population estimate. 80.4% of the population identifies as White, 13% Hispanic, with .9% Black, .9% American Indian, 2% Asian, .8% Native Hawaiian and other Pacific Islander and 1.7% two or more races. The median age is 29.2, with 31.5% people under 18 and 9.0% over 65. 90.6% of adults have graduated from high school and 29.4% hold a bachelors degree or higher. 61% of households are headed by married couples, with 43.3 of households having children. There are several universities and colleges in the state, with the largest being Utah State University, the University of Utah, Utah Valley University, and Brigham Young University. The state is a center of transportation, information technology and research, government services, mining, and a major tourist destination for outdoor recreation. Utah.gov (Unless otherwise indicated, all statistics taken from 2010 US Census data).

**2. Discuss the nature and scope of the problem in your program service area in the area below. Use a logical argument, statistics and document evidence to establish the need. Any lack of services, limitations of existing programs, safety issues and any other factors should be included. Statistics used must be current with references provided.**

Intimate partner violence is a serious issue in the state of Utah. In fiscal year 2013, the courts issued 3,944 temporary protective orders, 580 temporary stalking injunctions, 150 civil stalking injunctions, and 24 criminal stalking injunctions. District courts handled 3000 criminal domestic violence cases and justice courts handled 4963. Of the 179 district and justice court judges and commissioners, 113 received at least one hour of a topic related to domestic violence and stalking in calendar year 2013. Report on Domestic Violence Program 2013. 29 people died in domestic violence incidents in calendar year 2012. No More Secrets Report 2013. The court system can be confusing for parties who are unfamiliar with the justice system, especially if concurrent cases are pending in the criminal and civil courts. This leads to dissatisfaction with the courts and reluctance to access the justice system. In fact, in 2011, the Commission on Criminal and Juvenile Justice found that of the 25.3% of Utahns who reported being abused, only 8.4% sought a protective order. CCJJ's Utah Survey on Conflict in Relationships.

In addition to the confusing nature of the system, parties and organizations may be dissatisfied with practices that vary from court to court, which decreases predictability. New laws and resources may affect how the courts should handle domestic violence cases and may require updates to forms and websites. (2013 Dating violence laws, for example). Courts may not have the same knowledge of resources and all court staff may not receive the same amount of training. Coordination between external agencies and the courts may vary widely. Training received may not adequately address best practices in intimate partner violence cases. A centralized position to track new developments and trainings can help increase consistency throughout the state, as well as track input from external stakeholders who might not otherwise contact the courts.

**3. List core/basic victim needs in your given service location in the area below. First, state the need in a general way. Second, discuss each specific aspect of the identified need.**

CORE/BASIC VICTIM NEEDS:	THE ASPECTS OF THESE NEEDS INCLUDE:
Safety of self and family	In order to be safe, victims must access the justice system without undue risk. This includes safety in and around the courthouse and appropriate orders and enforcement.
Unobstructed access to justice system	This includes a basic understanding of how the system works, assistance at the front counter and during the trial process, if appropriate, and reduction of barriers that impede access.
Appropriate outcomes for abusers	Imposition of sentences for offenders and appropriate orders are often difficult due to lack of usable evidence and concerns related to revictimization or worsening abusive situations. Various concerns must be balanced in order to find a fitting sentence.
Accountability of offenders	Offenders must be held accountable in order to ensure safety of parties and compliance with orders of the court.
Access to community resources for assistance with health, housing, understanding, treatment, etc.	Victims of domestic violence and stalking need access to community resources in order to ensure that their needs are met and that they can move past abuse to have happy, productive lives.

4. List and describe the barriers to client service and safety within your agency and community in the area below.

BARRIERS TO CLIENT SERVICES AND SAFETY	Barriers within our agency include:	Barriers within the community:
Misunderstanding or lack of knowledge of criminal justice processes	Outdated or lacking explanatory resources, inconsistent practices from one town to another.	Incorrect dissemination of knowledge, so victims may not understand where to go to find help.
Fear of the justice system	The court and its employees may seem imposing and unapproachable.	Commonly held beliefs about immigration, child abuse, etc. may decrease the likelihood of accessing the courts.
Lack of understanding of English	Resources may not be available in multiple languages. Lack of cultural competency training.	Speakers of that language may not be available or may be unwilling to support the victim/
Lack of community resources	Rural areas, especially, lack many resources that could help support victims (shelters, advocates, legal aid, etc.). Courts may not be aware of what resources exist.	Rural areas, especially, lack many resources that could help support victims (shelters, advocates, legal aid, etc.).
Difficulty accessing the justice system	Victims may be required to testify and relive experiences, which may lead to revictimization. Training received by court personnel may be outdated.	Nature of domestic violence causes problems when interaction with the court system is necessary.

5. Indicate the group(s) of victims(s) this program will target for services.

**TARGET POPULATION**

All victims of domestic violence and stalking who access the court system will be indirectly targeted by this program.

## B. COLLABORATION WITH ALLIED PROFESSIONS and PRIORITY AREAS

### S.T.O.P VAWA FORMULA GRANT CHANGES and REQUIREMENTS “PRIORITY AREAS”

As a result of the re-authorization of VAWA 2013, numerous changes and requirements will occur in the 2015 STOP VAWA Formula grant. These changes will occur at the State level and will affect VAWA subgrantees.

In preparation for these new requirements, three (3) of these new changes have been formalized in the 2014 STOP VAWA Formula grant. Each requirement is identified as a “Priority Areas” and will require VAWA subgrantees’ response and attention.

Please note that this new VAWA application is structured to identify and solicit written response from your agency as you work to implement and report on these three (3) VAWA Priority Areas. These VAWA Priority Areas include:

1. Collaboration
2. Victim referrals for CVR benefits
3. Reporting to your agency's governing board

These 3 priority areas are in addition to the required THREE (3) Programmatic Goals with their respective THREE (3) Objectives.

You will also find that the VAWA quarterly reporting form has been revised to accommodate reporting on these three priority areas.

In this section, describe your agency's collaborative efforts to coordinate the response of law enforcement, prosecutors, courts, victim services and other agencies to violence against women. As per the:

U. S. Department of Justice, Office on Violence Against Women (OVW) Priority Areas: “States...should seek to carry out these strategies by forging lasting partnerships between the victim advocacy organization and the criminal justice system, and by encouraging communities to look beyond traditional resources . . . States. . . should also look to new partners, including community-based organizations, to respond vigorously to sexual assault, domestic violence, dating violence and stalking crimes.” (OVW Fiscal Year 2013 STOP Violence Against Women Formula Grant Program, p. 15)

**PRIORITY AREA #1**  
**MEANINGFUL COLLABORATION WITH ALLIED PROFESSIONS**  
**MUST BE ADDRESSED WITHIN YOUR GRANT**

**(1) List all the service agencies in your area. Identify which of these agencies you consider to be 'key' in providing services to VAWA crime victims. Describe the services that each of these key agencies provide.**

**NOTE: IF YOU NEED ADDITIONAL SPACE TO ANSWER THESE QUESTIONS, INSERT ANOTHER PAGE and IDENTIFY AS PAGE '4A'**

<b>Service Provider Agencies</b>	<b>Key Agencies</b>	<b>Services Provided</b>
Utah Legal Services	Utah Legal Services	Free or low cost legal assistance
Utah Domestic Violence Coalition	Utah Domestic Violence Coalition	Intermediary between local coalitions, training, resource lists
Utah Prosecution Council	Utah Prosecution Council	Intermediary between prosecutors, training
Department of Child and Family Services	Department of Child and Family Services	Oversees domestic violence treatment and provides services
Adult Probation and Parole	Adult Probation and Parole	Oversees enforcement of probation
Legal Aid Society of Salt Lake	Legal Aid Society of Salt Lake	Free or low cost legal assistance
Commission on Criminal and Juvenile Justice	Commission on Criminal and Juvenile Justice	Government organization that coordinates responses to crimes

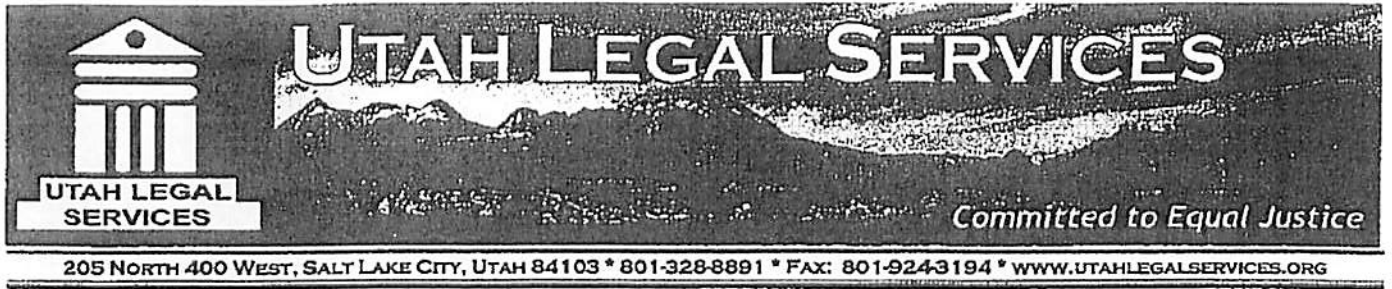
**(2) Indicate which of the above listed agencies will be asked to join your agency's collaborative team. Explain why you have selected these particular agencies and list the expertise they bring to your agencies collaborative project.**

<b>Collaborative Agency</b>	<b>Expertise of each Agency</b>	<b>Why this agency was chosen</b>
Legal Aid Society of Salt Lake	Working with the courts on domestic violence issues and legal assistance to parties	They have a track record of collaboration with the courts and can provide input and guidance on best practices
Utah Legal Services	Providing legal assistance to low income parties	They handle a high volume of domestic violence cases and can provide valuable feedback
Utah Domestic Violence Coalition	Training on domestic violence issues	Can provide links to local coalitions and direct victim services providers
Commission on Criminal and Juvenile Justice	Overarching statewide views on issues of domestic violence	Can partner with the courts to address problems as they arise on a statewide level.

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**3. Indicate specifically when your agency will contact these agencies. Identify the VAWA funded employee who will be responsible in making contact and enlist agency support. And finally, identify the date each partner will be contacted to join your collaborative team.**

	<b>enlisting collaborative support</b>	<b>made</b>
Legal Aid Society of Salt Lake	Valerie Paul	10/11/2013
Utah Legal Services	Valerie Paul	10/11/2013
Utah Domestic Violence Coalition	Valerie Paul	10/11/2013
Commission on Criminal and Juvenile Justice	Valerie Paul	10/11/2013



October 10, 2013

Dear Review Committee Member:

Utah Legal Services has spoken with the Administrative Office of the Courts (AOC) and we have identified and agree to collaborate on the following community problem: improving the uniformity of the court response to domestic violence and addressing statewide domestic violence issues within the courts.

The courts are an essential part of ensuring that victims of domestic violence and stalking have access to justice and are restored to safety. In order to improve practices that increase safety for victims of domestic violence, we have agreed to participate in an informal workgroup every 3 months. This workgroup will address any ongoing problems perceived within the courts, provide a forum for updates, and eventually collaborate in developing training curriculum for court employees, if necessary. We hope that this workgroup will allow for quicker resolution of issues and improve the overall response to domestic violence.

Together, we will work to implement comprehensive strategies to address violence against women and in doing so, we will be sensitive in addressing the needs and safety of victims and will work to hold offenders accountable for their crimes. Additionally, we will work to restructure and strengthen the justice system response to domestic violence, sexual assault, and stalking as mandated through the VAWA STOP formula grant.

Sincerely,

Anne Milne  
Executive Director  
(801) 924-3381  
[amilne@utahlegalservices.org](mailto:amilne@utahlegalservices.org)

**Ogden**  
298 24<sup>th</sup> St., #110  
84401  
801-394-9431  
Fax: 801-394-0430

**Salt Lake City**  
205 N. 400 W.  
84103  
801-328-8891  
Fax: 801-328-8898

**Provo**  
455 N. University #100  
84601  
801-374-6766  
Fax: 801-374-0960

**St. George**  
229 E. St. George Blvd. #103  
84770  
435-628-1604  
Fax: 435-628-1693



Toll Free (outside of Salt Lake County): 1-800-662-4245



Utah Domestic Violence  
COALITION

**Utah Domestic Violence Coalition**

205 North 400 West • Salt Lake City, Utah 84103 • (801) 521-5544 • Fax (801) 521-

**Peg Coleman, Executive Director**

VAWA Grant Review Committee  
Utah Office for Victims of Crime  
350 East 500 South, Suite 200  
Salt Lake City, Utah 84111

October 9, 2013

Dear Grant Review Committee Members,

The Utah Domestic Violence Coalition has spoken with the Administrative Office of the Courts (AOC) and we have identified and agree to collaborate on the following community problem: improving the uniformity of the court response to domestic violence and addressing statewide domestic violence issues within the courts.

The courts are an essential part of ensuring that victims of domestic violence and stalking have access to justice and are restored to safety. In order to improve practices that increase safety for victims of domestic violence, we have agreed to participate in an informal workgroup every 3 months. This workgroup will address any ongoing problems perceived within the courts, provide a forum for updates, and eventually collaborate in developing training curriculum for court employees, if necessary. We hope that this workgroup will allow for quicker resolution of issues and improve the overall response to domestic violence.

Together, we will work to implement comprehensive strategies to address violence against women and in doing so, we will be sensitive in addressing the needs and safety of victims and will work to hold offenders accountable for their crimes.

Additionally, we will work to restructure and strengthen the justice system response to domestic violence, sexual assault, and stalking as mandated through the VAWA STOP formula grant.

Sincerely,

Peg Coleman  
Executive Director  
Utah Domestic Violence Coalition

OFFICE OF THE ATTORNEY GENERAL



STATE OF UTAH

UTAH PROSECUTION COUNCIL

JOHN E. SWALLOW  
Attorney General

MARK W. NASH, DIRECTOR

October 10, 2013

Dear Review Committee Member:

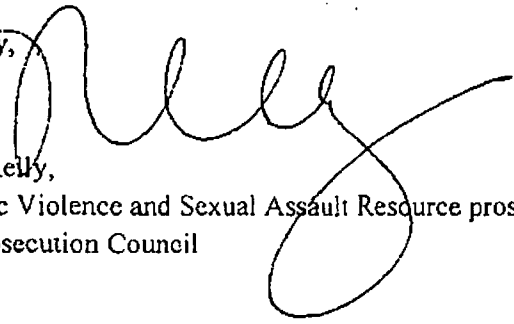
Our agency has spoken with the Administrative Office of the Courts (AOC) and we have identified and agree to collaborate on the following community problem: improving the uniformity of the court response to domestic violence and addressing statewide domestic violence issues within the courts

The courts are an essential part of ensuring that victims of domestic violence and stalking have access to justice and are restored to safety. In order to improve practices that increase safety for victims of domestic violence, we have agreed to participate in an informal workgroup every 3 months. This workgroup will address any ongoing problems perceived within the courts, provide a forum for updates, and eventually collaborate in developing training curriculum for court employees, if necessary. We hope that this workgroup will allow for quicker resolution of issues and improve the overall response to domestic violence.

Together, we will work to implement comprehensive strategies to address violence against women and in doing so, we will be sensitive in addressing the needs and safety of victims and will work to hold offenders accountable for their crimes.

Additionally, we will work to restructure and strengthen the justice system response to domestic violence, sexual assault, and stalking as mandated through the VAWA STOP formula grant.

Sincerely,

  
Donna Kelly,  
Domestic Violence and Sexual Assault Resource prosecutor  
Utah Prosecution Council

COUNCIL MEMBERS:  
BARRY L. HUNTINGTON, CHAIR  
DAVID R. BRICKEY  
ROBERT J. CHURCH  
JANN L. FARRIS  
STEPHEN D. FOOTE  
STEVEN L. GARSIDE  
SIM S. GILL  
KEITH D. SQUIRES  
JOHN E. SWALLOW  
CECELIA ZARBOCK



GARY R. HERBERT  
*Governor*

GREG BELL  
*Lieutenant Governor*

# STATE OF UTAH

## Office on Domestic and Sexual Violence

NED SEARLE  
*Director*

October 10, 2013

Utah Office for Victims of Crime  
350 East 500 South, Suite 200  
Salt Lake City, Utah 84111

Dear Review Committee Member:

Violence against women impacts everyone--women, children and men of all ages, races and backgrounds. The solutions to combating domestic violence involve social, educational, legal, medical, and law enforcement interventions. A single entity alone cannot solve the complex issues involved in the prevention and prosecution of this type of violence. It is only by working together and joining forces that we can conquer this social ill.

For the past few years I have collaborated with the Administrative Office of the Courts (AOC). This past year we worked together on providing training for judges to increase their knowledge base for victims of domestic violence.

The Commission on Criminal and Juvenile Justice has spoken with the AOC and has identified a need we can work on together. The challenge we see is improving the uniformity of the court response to domestic violence. Together, we will work to implement comprehensive strategies to address violence against women and in doing so; will be sensitive in addressing the needs and safety of victims while working to hold offenders accountable for their crimes.

We have agreed to meet every 3 months and will participate in a planning committee with the AOC and other organizations in the development of resource guides for judges and other parties and develop a curriculum for judicial training, targeting new as well as experienced justice and district court judges.

Additionally, we will work together to restructure and strengthen the criminal justice system response to include sexual assault, and stalking as mandated through the VAWA STOP formula grant.

Please make a decision to fund their request; the focus should always remain on victims and their needs. Improving the judicial system and training judges on domestic violence, sexual assault and stalking only improves our chances of holding perpetrators accountable. Your resources are a virtual lifeline to improving Utah's response to survivors of domestic and sexual violence.

Sincerely,

A handwritten signature in cursive script that reads "Ned Searle".

Ned Searle

--	--	--

**(4) ATTACH A MINIMUM OF THREE (3) LETTERS FROM YOUR IDENTIFIED COLLABORATIVE PARTNERS. (LISTED ABOVE)**

**THESE LETTERS MUST BE:**

- WRITTEN ON AGENCY LETTERHEAD
- HAVE AN ORIGINAL SIGNATURE
- HAVE A CURRENT DATE
- INDICATE A WILLINGNESS TO PARTICIPATE (AGREE TO MEET, WILLING TO TAKE ASSIGNMENTS, PROVIDE INPUT, ETC.)

<b>1. COLLABORATIVE PROJECT</b>	
Assign a quantitative number to the project and identify what is being measured <small>(Victims assisted, number of hours spent working on the project, etc.)</small>	8 hours
Indicate VAWA funded personnel responsible for the project:	Valerie Paul
<b><u>Clearly detail your agency's collaborative project</u></b>	
<ul style="list-style-type: none"> <li>• <b><u>Explain why the project was chosen:</u></b> In 2013, as part of agency collaboration, an effort was made to conduct roundtable discussions with partners to identify issues. This proved to be an efficient manner of bringing stakeholders to the table and so, this is the primary focus of the 2014 project. We would like to conduct quarterly meetings with internal and external stakeholders in order to address issues more quickly.</li> <li>• <b><u>Indicate the system or target population that is the focus of the project:</u></b> Improving the courts' response to domestic violence is the primary focus.</li> <li>• <b><u>Indicate the potential the project has to affect change:</u></b> This should allow the courts to identify statewide gaps more quickly and allow stakeholder concerns to be resolved within days instead of months.</li> </ul>	

<p><b><u>1) Outline the steps that will be taken to enlist collaborative partners:</u></b> The courts have a proven record of accomplishment of collaborating with various agencies. However, to increase focus on domestic violence, this informal group will meet quarterly (email and phone call invitations will be sent) to address issues specifically related to intimate partner violence.</p>
--

<p><b><u>2) List the key agencies that have agreed to assist with the project:</u></b> Utah Legal Services; Utah Domestic Violence Coalition; Legal Aid Society of Salt Lake; Division of Child and Family Services; Utah Prosecution Council; Commission on Criminal and Juvenile Justice.</p>
---

<p><b>3) <u>List the activities/methods that will be used to move the project forward:</u></b></p> <p>Quarterly meetings scheduled</p> <p>Notes and minutes sent to various agencies</p> <p>Follow-up on issues conducted</p>	<p><b>4) <u>Indicate how the project will be monitored/evaluated:</u></b></p> <p>Number of meetings scheduled and attendees.</p> <p>Number of issues addressed</p> <p>Report on best practices that arise from meetings</p>
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<p><b>5) <u>Suggest what success looks like:</u></b></p> <p>Agencies would have a standing forum to discuss domestic violence issues with the courts. Hopefully, all agencies partners will know each other and build strong relationships that allow for quick resolution of issues.</p>	<p><b>6- <u>Include a time-line as a reference to ensure the project moving forward:</u></b></p> <p>February 2013: Meeting 1</p> <p>May 2013: Meeting 2</p> <p>August 2013: Meeting 3</p> <p>November 2013: Meeting 4</p>
---	---

**FOR ASSISTANCE WITH CVR BENEFITS**

Indicate the number of victims that will be referred to CVR	NA
Indicate the VAWA funded employee responsible for this project	

**3. REPORTING TO AGENCY'S GOVERNING BODY**

Each VAWA funded agency is responsible for reporting twice yearly to their agency's governing body. The information which will be reported on will include: 1) the crime categories under which crime victims were served 2) types of services provided and 3) program accomplishments. Each agency will need to indicate the date of the report, the name of the VAWA funded employee making the report and the information provided. Each report should be accompanied by an agenda documenting the report. Reporting will be documented through quarterly reports. Check the box, indicating that you have read this requirement

X
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**C. PROGRAM PLAN and EVALUATION**

This section should describe in detail through three (3) goals and (3) objectives, how the project will be implemented.

Each GOAL will:

- (1) Provide a **broad statement** of the program's goals. (Example: To reduce trauma experienced by domestic violence victims as they participate in the criminal justice system).
- (2) **Identify the VAWA funded person/position** responsible for this goal
- (3) Identify the **Statutory Program Purpose #** that the Goal addresses

**Each OBJECTIVE will:**

- (1) **Clearly define, in measurable terms**, the objectives of the program. (Example of measurable terms: Assist 250 domestic violence victims in obtaining protective orders). The objectives must reflect the identified 'PROBLEMS, NEEDS, BARRIERS TO VICTIM SERVICES and SAFETY' your agency defined in Section "A".
- (2) **Describe what activities/methods** will be used to solve the problem(s) identified in the objective. (Example: if the objective is to assist DV victims in obtaining a protective order, then one appropriate activity/method could be, explaining to victims what a protective order can do to ensure safety)
- (3) Indicate how the program will **monitor and evaluate each objective**.
- (4) **Create a time-line** indicating when each critical activity/method element will be achieved

◆ Finally, each goal will have an **implementing strategy** which will outline the specific strategies, approaches, and innovations that will be used to implement the project.

An implementing strategy is required for each goal.

<b>GOAL I: Train court staff on fundamental knowledge necessary for dealing with domestic violence and stalking cases.</b>		
Specify the VAWA funded employee and their position related to this goal:	Valerie Paul – DV Prog. Coord., Judges, court clerks, Education Dept. staff	
Identify the Statutory Program Purpose:	1, 2, 6, 7, 8, 10 and 11	
<b>OBJECTIVE: A</b>		
Indicate clearly, how many this Quantitative number will serve:	20	
Indicate clearly, what the Quantitative number is measuring:	Court personnel	
<b>A. OBJECTIVE:</b> Train 20 court clerks on basics of domestic violence, stalking and cultural awareness.		
<b>ACTIVITIES/METHODS</b>	<b>INDICATE HOW YOU WILL MONITOR/EVALUATE THE OBJECTIVE</b>	<b>TIME-LINE</b> Indicate the manner in which the objective will be developed, assessed, and how it move forward
Meet with court education department to identify opportunities for training.	Track attendance at training and number of hours of training.	4/30/2014 Report on meetings to develop training

<p>Meet with UDVC to gain input for training content.</p> <p>Decide presenters and location.</p> <p>Conduct training.</p> <p>Conduct pre/post assessments at training.</p>	<p>Pre and post assessments of knowledge obtained at training.</p>	<p>10/31/2014: Report on trainings conducted</p>
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**OBJECTIVE: B**

<p>Indicate clearly, how many this Quantitative number will serve:</p>	<p>20</p>
<p>Indicate clearly, what the Quantitative number is measuring:</p>	<p>Judges/ commissioners</p>

**B. OBJECTIVE: Train 20 judges/commissioners in the basics of domestic violence, stalking, and cultural awareness**

<p><b>ACTIVITIES/METHODS</b></p>	<p><b>INDICATE HOW YOU WILL MONITOR/EVALUATE THE OBJECTIVE</b></p>	<p><b>TIME-LINE</b> Indicate the manner in which the objective will be developed, assessed, and how it move forward</p>
<p>Meet with court education department to identify opportunities for training.</p> <p>Meet with UDVC to gain input for training content.</p> <p>Decide presenters and location.</p> <p>Conduct training.</p> <p>Conduct pre/post assessments at training.</p>	<p>Track attendance at training and number of hours of training.</p> <p>Pre and post assessments of knowledge obtained at training.</p>	<p>7/15/2014 Report on meetings to develop training</p> <p>12/31/2014: Report on trainings conducted</p>

<b>OBJECTIVE: C</b>		
Indicate clearly, how many this Quantitative number will serve:		20
Indicate clearly, what the Quantitative number is measuring:		Court staff
C. <b>OBJECTIVE:</b> Train 20 court staff on new dating violence order procedures and requirements.		
ACTIVITIES/METHODS	INDICATE HOW YOU WILL MONITOR/EVALUATE THE OBJECTIVE	TIME-LINE Indicate the manner in which the objective will be developed, assessed, and how it move forward
<p>Meet with court education department to identify opportunities for training. Meet with UDVC to gain input for training content.</p> <p>Decide presenters and location.</p> <p>Conduct training.</p> <p>Conduct pre/post assessments at training.</p>	<p>Track attendance at training and number of hours of training.</p> <p>Pre and post assessments of knowledge obtained at training.</p>	<p>7/15/2014 Report on meetings to develop training</p> <p>12/31/2014: Report on trainings conducted</p>

**IMPLEMENTING STRATEGY for GOAL I:** Training is consistently one of the best ways to increase awareness of domestic violence issues and enhance the experience a victim has with the courts. In order to increase the consistency of training available to all court staff, the domestic violence program will work with the education department of the Administrative Office of the Courts and the Utah Domestic Violence Council to develop and administer updated domestic violence training that has been proven to increase sensitivity of domestic violence issues. This training will also refresh knowledge about laws and required procedures and protocols for domestic violence and stalking cases.

**GOAL II: Continue Domestic Violence Program Coordinator position**

Specify the VAWA funded employee and their position related to this goal:

Valerie Paul, DV Program Coord., Debra Moore, District Court Admin., Patrick Ogden, Court Services

Identify the Statutory Program Purpose:

2, 3, 4, 5, 6, 7, 8, 10, 12

**OBJECTIVE: A**

Indicate clearly, how many this Quantitative number will serve:

20

Indicate clearly, what the Quantitative number is measuring:

Meetings attended

A. **OBJECTIVE:** Continue and expand collaboration between external agencies and the courts by attending 20 local domestic violence coalition meetings or committee meetings for other external agencies (Utah Domestic Violence Coalition, Utah Domestic Violence Treatment Providers Committee, etc...)

ACTIVITIES/METHOD	INDICATE HOW YOU WILL MONITOR/EVALUATE THE OBJECTIVE	TIME-LINE Indicate the manner in which the objective will be developed, assessed, and how it move forward
Identify meetings throughout the state.  Drive to/attend meetings.  Report on feedback obtained.  Implement changes based on feedback.	Track attendance at meetings  Track number of miles traveled  Report on outcomes	4/30/2014: Report on 1 <sup>st</sup> quarter meetings  7/30/2014: Report on 2 <sup>nd</sup> quarter meetings  10/31/2014: Report on 3 <sup>rd</sup> quarter meetings  1/31/2015: Report on 4 <sup>th</sup> quarter meetings

<b>OBJECTIVE: B</b>		
Indicate clearly, how many this Quantitative number will serve:		<b>30</b>
Indicate clearly, what the Quantitative number is measuring:		<b>Requests for assistance</b>
<b>B. OBJECTIVE: Respond to 30 stakeholder requests for assistance (statistics, training, complaints, etc.) in the fields of domestic violence and stalking.</b>		
<b>ACTIVITIES/METHOD</b>	<b>INDICATE HOW YOU WILL MONITOR/EVALUATE THE OBJECTIVE</b>	<b>TIME-LINE</b> Indicate the manner in which the objective will be developed, assessed, and how it move forward
<p>Provide contact information on state court website.</p> <p>Provide contact information during visits to various agencies.</p> <p>Determine necessary training to become subject matter expert.</p> <p>Attend national and local training and webinars.</p> <p>Respond to requests for assistance.</p>	<p>Track number of requests received.</p> <p>Track number of requests resolved or outcome of request.</p> <p>Track attendance at trainings.</p>	<p><b>4/30/2014: Report on 1<sup>st</sup> quarter requests and training</b></p> <p><b>7/30/2014: Report on 2<sup>nd</sup> quarter requests and training</b></p> <p><b>10/31/2014: Report on 3<sup>rd</sup> quarter requests and training</b></p> <p><b>1/31/2015: Report on 4<sup>th</sup> quarter requests and training</b></p>

<b>OBJECTIVE: C</b>		
Indicate clearly, how many this Quantitative number will serve:		5
Indicate clearly, what the Quantitative number is measuring:		Reports created.
C. <b>OBJECTIVE: Monitor systems-related trends in domestic violence and stalking in Utah courts by providing 5 reports about statistics and changes.</b>		
<b>ACTIVITIES/METHOD</b>	<b>INDICATE HOW YOU WILL MONITOR/EVALUATE THE OBJECTIVE</b>	<b>TIME-LINE</b> Indicate the manner in which the objective will be developed, assessed, and how it move forward
<p>Track statistics related to domestic violence and stalking cases each quarter and annually.</p> <p>Track changes in the law or advances in other states and nationally that may impact how domestic violence and stalking are handled in Utah.</p> <p>Conduct data analysis on sample of cases to ascertain changes in protocol.</p> <p>Compile reports that summarize important updates.</p> <p>Post reports on court intranet.</p>	<p>Track presentation of reports</p> <p>Track number of hours spent creating reports</p>	<p>4/30/2014: Report for 1<sup>st</sup> quarter</p> <p>7/30/2014: Report for 2<sup>nd</sup> quarter</p> <p>10/31/2014: Report for 3<sup>rd</sup> quarter</p> <p>1/31/2015: Report for 4<sup>th</sup> quarter</p>
<p><b>IMPLEMENTING STRATEGY for GOAL II: The domestic violence coordinator position should be responsive to requests by internal and external stakeholders. While the position has been introduced previously, it is imperative that the coordinator attend local meetings and can serve as a subject matter expert on court protocols, laws, and updates related to domestic violence. Additionally, problems may be resolved expeditiously if trends are tracked appropriately. Having one person focus on this very specific area of data collection should lead to improved outcomes and faster updates to best practices.</b></p>		
<p><b>GOAL III: Encourage a cohesive response to domestic violence in district</b></p>		

<b>and justice courts.</b>		
Specify the VAWA funded employee and their position related to this goal:	Valerie Paul, Domestic Violence Program Coordinator, Debra Moore, District Court Administrator, Rick Schwermer, Justice Court Administrator, district and justice court judges	
Identify the Statutory Program Purpose:		1, 3, 5, 6, 7, 8, 10, 12
<b>OBJECTIVE: A</b>		
Indicate clearly, how many this Quantitative number will serve:		8
Indicate clearly, what the Quantitative number is measuring:		Judicial districts visited
A. <b>OBJECTIVE: Distribute best practices guide for civil cases to all 8 judicial districts and facilitate implementation of practices within each court.</b>		
<b>ACTIVITIES/METHOD</b>	<b>INDICATE HOW YOU WILL MONITOR/EVALUATE THE OBJECTIVE</b>	<b>TIME-LINE</b> Indicate the manner in which the objective will be developed, assessed, and how it move forward
<p>Provide best practices guide to trial court executives.</p> <p>Provide best practices guide to Judicial Council and Board of District Court Judges</p> <p>Provide best practices guide to presiding judges.</p> <p>Attend round table discussions in willing districts to discuss adoption of suggestions.</p> <p>Report on district meetings.</p>	<p>Track comments received.</p> <p>Track meetings attended.</p> <p>Track changes implemented.</p>	<p>4/30/2014: Report on distribution of guides</p> <p>1/31/2014: Report on changes contemplated or conducted</p>

<b>OBJECTIVE : B</b>		
Indicate clearly, how many this Quantitative number will serve:		8
Indicate clearly, what the Quantitative number is measuring:		Districts
<b>B. OBJECTIVE: Distribute best practices guide for criminal cases and facilitate implementation.</b>		
<b>ACTIVITIES/METHOD</b>	<b>INDICATE HOW YOU WILL MONITOR/EVALUATE THE OBJECTIVE</b>	<b>TIME-LINE</b> Indicate the manner in which the objective will developed, assess, and how it move forward
<p>Provide best practices guide to trial court executives and justice court education directors.</p> <p>Provide best practices guide to Judicial Council, Board of District Court Judges and Board of Justice Court Judges.</p> <p>Provide best practices guide to presiding judges and education directors.</p> <p>Attend round table discussions in willing districts to discuss adoption of suggestions.</p> <p>Report on district meetings.</p>	<p>Track comments received.</p> <p>Track meetings attended.</p> <p>Track changes implemented.</p>	<p>4/30/2014: Report on distribution of guides</p> <p>1/31/2014: Report on changes contemplated or conducted</p>
<b>OBJECTIVE: C</b>		
Indicate clearly, how many this Quantitative number will serve:		150
Indicate clearly, what the Quantitative number is measuring:		Hours spent
<b>C. OBJECTIVE: Spend 150 hours updating and providing resource lists and materials for parties, judges, internal and external stakeholders.</b>		
<b>ACTIVITIES/METHOD</b>	<b>INDICATE HOW YOU WILL MONITOR/EVALUATE THE OBJECTIVE</b>	<b>TIME-LINE</b> Indicate the manner in which the objective will be developed, assessed, and how it move forward
Update internal and public websites with domestic violence resources.	Track number of cards/pamphlets distributed to each court site.	1/31/2014: Report on number of hours

<p><b>Compile lists of treatment providers.</b></p> <p><b>Update lists of local resources.</b></p> <p><b>Provide resource cards to courts, as requested.</b></p> <p><b>Provide pamphlets and training materials, as necessary.</b></p>	<p><b>Track number of hours spent searching for updates.</b></p>	<p><b>spent.</b></p> <p><b>1/31/2014: Report on number of materials distributed.</b></p>
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**IMPLEMENTING STRATEGY for GOAL III: It is important that the courts have a consistent policy to deal with domestic violence and stalking. The needs assessment reports (criminal and civil) yielded information on local best practices to be implemented by courts in the state. These findings should be reported to individual courts, as they determine which practices, if any, would be of use to them. Additionally, to increase consistency, the Administrative Office of the Courts can provide materials to be given to parties and external stakeholders, decreasing reliance on individual court employee's knowledge.**

**IF YOU HAVE CHOSEN NOT TO ADDRESS ALL THREE (3) GOALS AND THE (3) OBJECTIVES ASSOCIATED WITH EACH GOAL, JUSTIFY YOUR REASONING IN DETAIL BELOW:**

Empty space for justification of not addressing all goals and objectives.

## D. STATISTIC REPORTING

- List the name(s) of the individual(s) who will be collecting statistics throughout the contract year.
- Explain the identified individual's ability to keep statistics for reporting purposes.
- Required statistics include:
  - *Type of crime the project serves*
  - *Services provided*
  - *Statistics to answer questions listed on the required VAWA questions and the VAWA Annual Report (included but not limited to)*
    - *Race*
    - *Sex*
    - *Age*
  - This section should describe what will be measured and the types of data that will be collected.
  - If statistics are not currently being collected, indicate how your agency plans on collecting required statistics
  - If you are asking for continued funding, indicate whether your agency's quarterly progress and annual reports have been accurate and on-time by checking the appropriate box.
  - Indicate how often data will be collected.

List the name(s) of the VAWA funded individual who will be responsible for collecting statistics:

Kim Allard, Patrick Ogden, Valerie Paul

Explain the individual's ability to keep statistics for reporting purposes:

The Director of Court Services, Kim Allard, and her staff will gather relevant data and perform statistical analyses of cases that involve violence against women, including but not limited to:

- Domestic violence criminal cases in justice and district courts
- Civil cohabitant abuse filings
- Stalking filings

The Domestic Violence Program Coordinator, Valerie Paul, will provide reports related to collaborative meetings, trainings hosted, attendance at trainings, materials given at trainings, contacts with external stakeholders, as well as any other non quantitative measures of performance.

Detail what data is being collected, what is being measured, and how statistics are being kept:

- Domestic violence criminal cases in justice and district courts
- Civil cohabitant abuse filings
- Stalking filings
- Reports related to collaborative meetings, trainings hosted, attendance at trainings, materials given at trainings, contacts with external stakeholders

Do you submit your quarterly reports on time?  Always  Most of the Time  Rarely

How often data by will collected?  Daily  Weekly  Quarterly  Annually

### E. RECORD OF PROVIDING EFFECTIVE SERVICES

If your program received VAWA funding during 2013 (January 1, 2013 thru December 31, 2013), please provide information on the goals, objectives and quantitative data accomplished with VAWA grant funds.

<b>VAWA GRANT NUMBER:</b>	12 VAWA 01	
<b>Goal I: Continue domestic violence program coordinator position and expand to provide more services</b>		
Objective A: Expand collaboration between external agencies and the courts by participating in local and national domestic violence meetings and facilitating transfer of relevant information		
	Projected # 20	Actual # achieved 40
Objective B: Provide technical assistance to internal stakeholders by tracking resources and developments in domestic violence		
	Projected # 30	Actual # achieved 76
Objective C: Provide technical assistance to external stakeholders by working with various court departments to resolve problems as they arise and facilitating appropriate contact with the judiciary.		
	Projected # 10	Actual # achieved 107
<b>Goal II: Encourage a cohesive response to domestic violence cases in district and justice courts throughout the state.</b>		
Objective A: Create an instructional video and/or pamphlet addressing the protective order process to be made available in courthouses in the state and online.		
	Projected # 200	Actual # achieved 10
Objective B: Collaborate with external agencies to make available a local resource guide for parties at clerk's offices throughout the state.		
	Projected # 50	Actual # achieved 0
Objective C: Collaborate with agencies to create a pamphlet to be given to parties at the conclusion of protective order hearings explaining the local and federal ramifications of a protective order, what is considered a violation, options for dismissal, treatment resources, etc.		
	Projected # 50	Actual # achieved 0
<b>Goal III: Develop a training program for judges, court personnel and community agencies in</b>		

conjunction with the Administrative Office of the Courts Education Department and local education committees

**Objective A:**

Work with court departments to develop one domestic violence training topic at the annual judicial conference, the justice court judicial conference, the district court judicial conference, and any other relevant conferences.

Projected # 45

Actual # achieved 113

**Objective B:**

Work with local education directors to organize one interagency domestic violence training per district and conduct simple trainings with other agencies if necessary.

Projected # 50

Actual # achieved 0

**Objective C: Facilitate training for 2 interested judges on national updates in domestic violence court practices by sending them to national conferences**

Projected # 2

Actual # achieved 0

Detail your agency's collaborative efforts: Identify project goals and objectives. Who were your collaborative partners? Were you successful in affecting change?

The main collaborative project was to conduct 2 meetings with stakeholders to increase collaboration and to address concerns. We have conducted one meeting so far, with representatives from the Division of Child and Family Services, the Commission on Criminal and Juvenile Justice, the Utah District Courts, Utah Legal Services, the Utah Domestic Violence Coalition and Legal Aid Society of Salt Lake, in attendance. The first meeting was successful in identifying concerns facing each agency. A second meeting has been tentatively scheduled, where we hope to invite additional participants and report on successes. These meetings have also been useful insofar as they have helped the courts identify concerns that have been lingering and potential resources that can be linked to individual courts.

In documenting the effectiveness of your program, discuss (1) how long your program has been in existence, (2) how it has grown and the (3) types of victim services you offer:

The Domestic Violence Program started in 2012, with one half-time employee. It was primarily implemented to conduct a needs assessment of courts in the state. However, since that time, the program has coordinated with local coalitions and state agencies in order to address concerns that arise when dealing with the courts. The program has also been successful in conducting training for judges and in locating national trainers who can present to court employees successfully. While no direct victim services are offered, improving the court system will enhance the experience of all those who access the courts. Even though the program is still fairly new, it has provided additional ways for stakeholders to interact with the courts and gain understanding of policies that may have caused friction in the past. It has also helped court personnel gain a better understanding of how domestic violence is handled in the state and why particular stakeholders have a specific concern.

Indicate what you consider to be your agency's most significant accomplishment to date:

- The 2012 Needs Assessment
- Training over 100 judges in calendar year 2013

If your program is new, check the box: (1) provide information as to the growth of your

agency, (2) your agency's ability to assist VAWA victims and (3) indicate how VAWA funding will increase the capacity of your agency in assisting victims.

## F. VOCA SUBGRANTEES

Please check if your agency **does not** receive VOCA funding.  
If you do not receive VOCA funding, leave "Section F" blank.

If your agency receives VOCA funding, provide a brief description of your VOCA program.

Indicate the amount of VOCA funding your agency receives, or will receive, during the VAWA funding period (VAWA funding encompasses 1/1/14 – 12/31/14)

Please list any VOCA funded staff at your agency:

	Name of the VOCA funded employee	VOCA funded position	VOCA funded hours	VOCA hourly rate of pay	VOCA funded benefits	TOTAL VOCA cost (salary + benefits)
1						
2						
3						
4						
5						

Explain how your VOCA program goals and objectives differ from your agency's 2014 proposed VAWA goals and objectives.

VOCA Program Goals	VAWA Program Goals
VOCA Objectives	VAWA Objectives

Please complete this VOCA funding section:

FY 2014 VOCA Funding Budget Summary	
Personnel:	
Contracted Fees:	
Equipment:	
Travel:	
Training:	
Supplies:	
Other:	
TOTAL VOCA COSTS:	

### G. PROJECT ADMINISTRATION

This section of the application will describe how the project will be structured, organized, and managed. Please attach the three (3) following pieces of information and answer the following two (2) questions:

- 1) Attach an organization chart with the names and titles of staff, advisory and decision-making bodies.
- 2) Attach a roster of your governing board if your agency is a non-profit
- 3) Attach a position title and job description for each VAWA funded staff position

4) Description (programmatically and financially) of the project director and project staff's ability and qualifications to manage and implement the VAWA program (years of schooling, experience, prior grant experience)

The District Court Administrator, Debra Moore, will lead the management and implementation of the program. She has considerable in administering previous VAWA grant programs and has served as the AOC domestic violence point of contact as part of her duties as District Court Administrator. She has worked closely with AOC management staff and other judicial personnel, as well as several external stakeholders. She is experienced in supervising personnel, preparing performance plans, and reviewing employee performance.

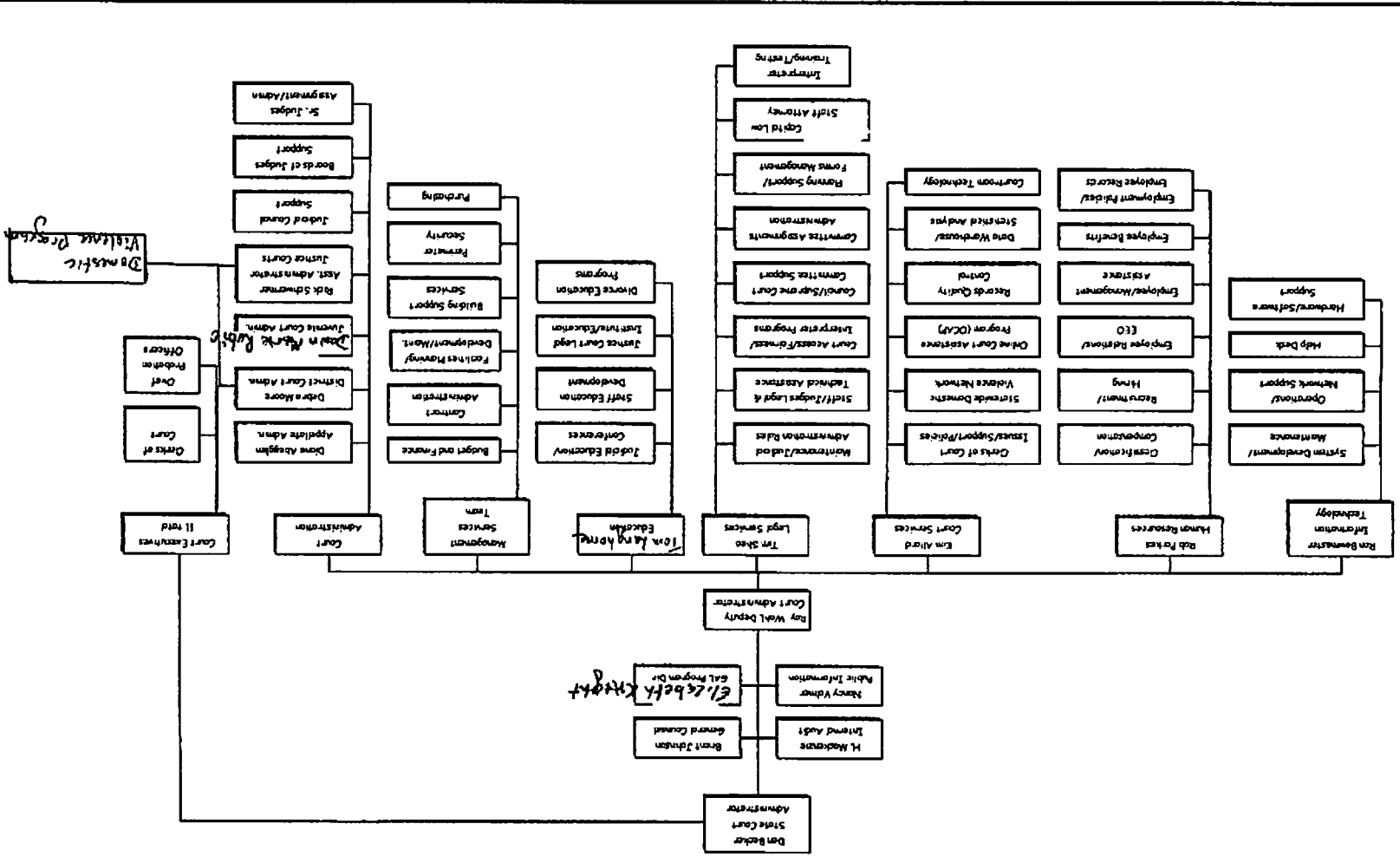
The current Domestic Violence Program Coordinator, Valerie Paul has been in the position since the end of March 2012 and has developed relationships with several internal and external stakeholders. She has also worked extensively to develop goals and objectives for the domestic violence program. She is a licensed attorney in the state of Utah, has a background in psychology and neuroscience, and has worked in the field of domestic violence.

5) Provide an explanation identifying which staff personnel will manage fiscal controls and how your agency will keep an accounting of funds and resources.

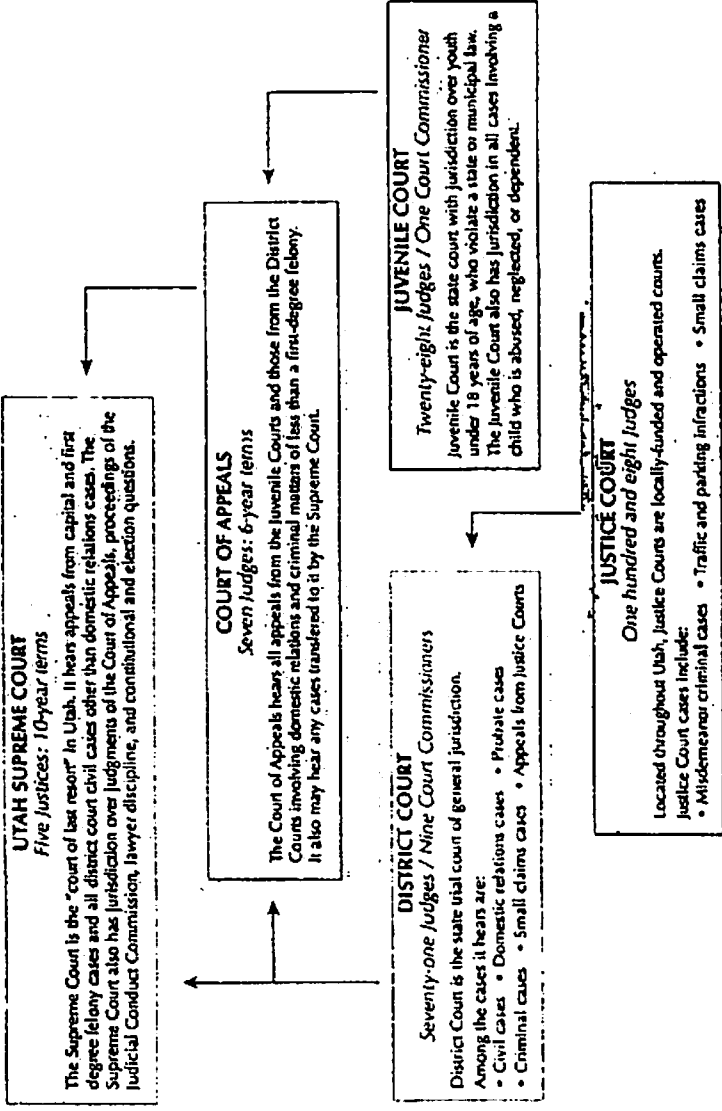
Derek Byrne, AOC Budget Director, and his staff will manage fiscal controls and account for funds through FINET, the finance software for Utah state governmental agencies.

OFFICE OF STATE COURT ADMINISTRATOR

10/09



# Navigating the Court System



# Utah State Courts

## COURT ADMINISTRATION

Court Administrator

Traditional Management

- Human Resources
- Purchasing
- Information Technology
- Information Services
- Finance/Budget
- Education & Training
- Audit

Legal & Technical Support

- Legal Counsel
- Media/Public Relations
- Senior Counsel
- Guardian ad Litem
- Alternative Dispute Resolution

Court Operations

- Appellate Court Administrator
- District Court Administrator
- Juvenile Court Administrator
- Justice Court Administrator
- Court Services

Trial Court Executives

Clerks of Court

Juvenile Probation

## COURT GOVERNANCE

The Utah Courts are led by the Utah Judicial Council, the policy and decision making body for the courts. This authority is established in the Utah Constitution. Every court district and employee is under the Council's jurisdiction. There are fourteen members of the Council, which is chaired by the Chief Justice of the Utah Supreme Court.

In order to accomplish the great quantity and diversity of tasks associated with the Courts, the Council is aided by several committees and an administrative office performing managerial, administrative, or research functions for the Judicial Council. The Liaison, Management, and Policy & Planning committees are examples of such committees. By rule, the Judicial Council established a Board of Judges for each level of the courts. In accordance with the guidelines of the Council, these boards adopt administrative rules, advise the Council, supervise the implementation of Council policies, and serve as a liaison between judges and the Council.

The Judicial Council is further aided by the Administrative Office of the Courts (AOC), which provides important services for the Judicial Council and the Utah court system. The AOC is headed by the State Court Administrator, who serves as secretary for the Judicial Council. The services provided by the AOC include:

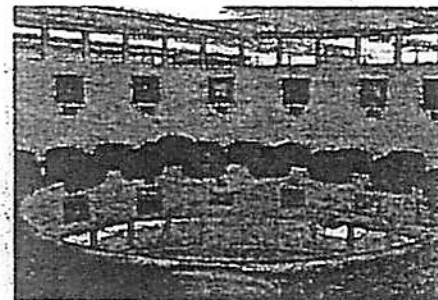
- Accounting and Auditing
- Facilities Planning
- Human Resource Management
- Judicial Branch Education
- Information Services
- Information Technology
- Trial Court Administration

In addition, the AOC serves as a liaison with the other branches of government.

The courts are further divided into judicial districts, where Trial Court Executives (TCE) serve as the chief administrative officers. They work closely with the judges to provide support and are ultimately responsible for administrative and personnel services within the individual districts.

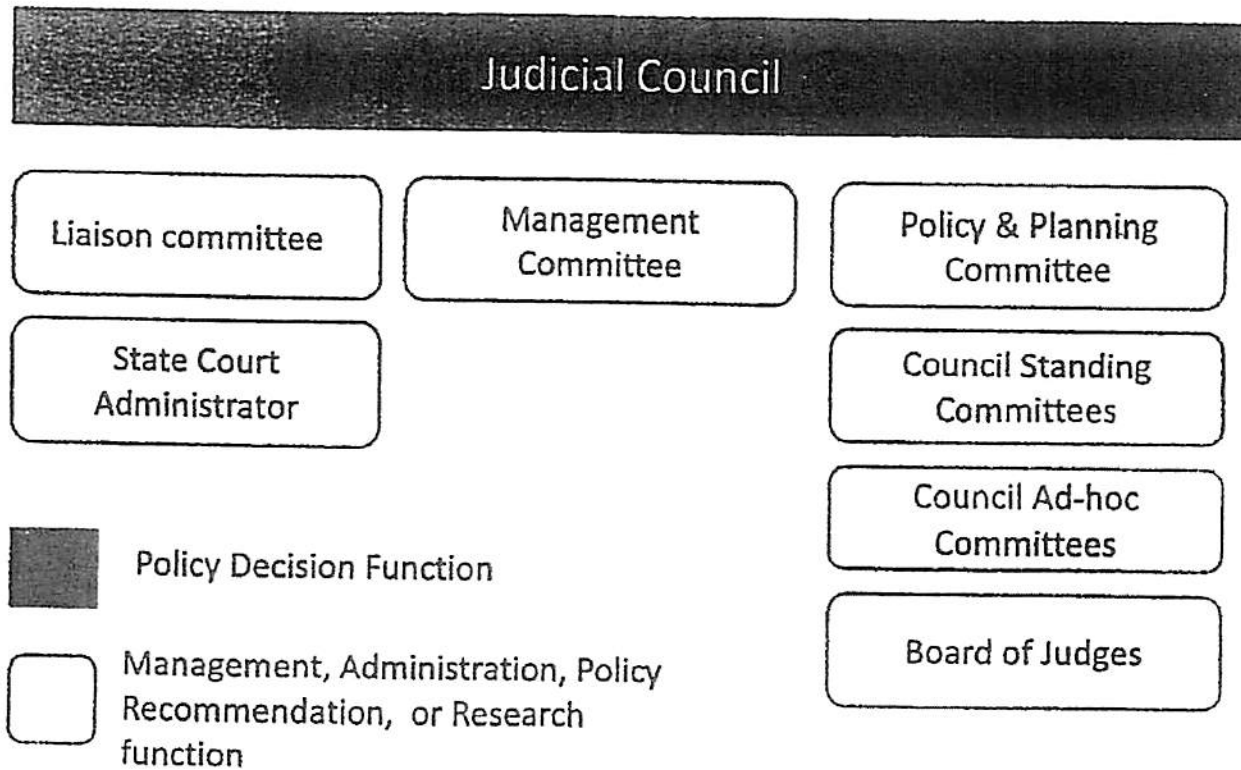


*The 2005 - 2006 Judicial Council*

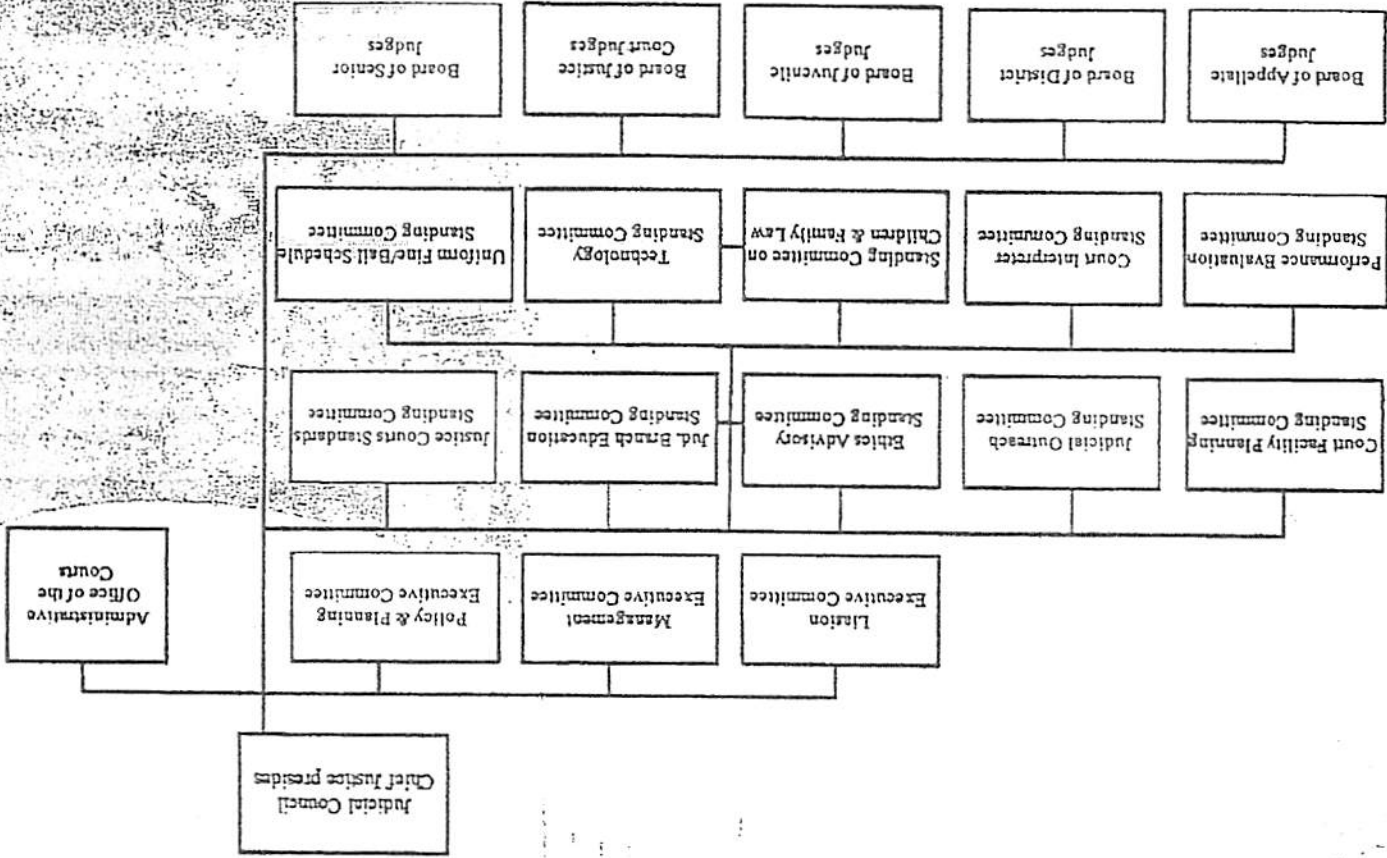


*The Judicial Council room is located in the Matheson Courthouse*

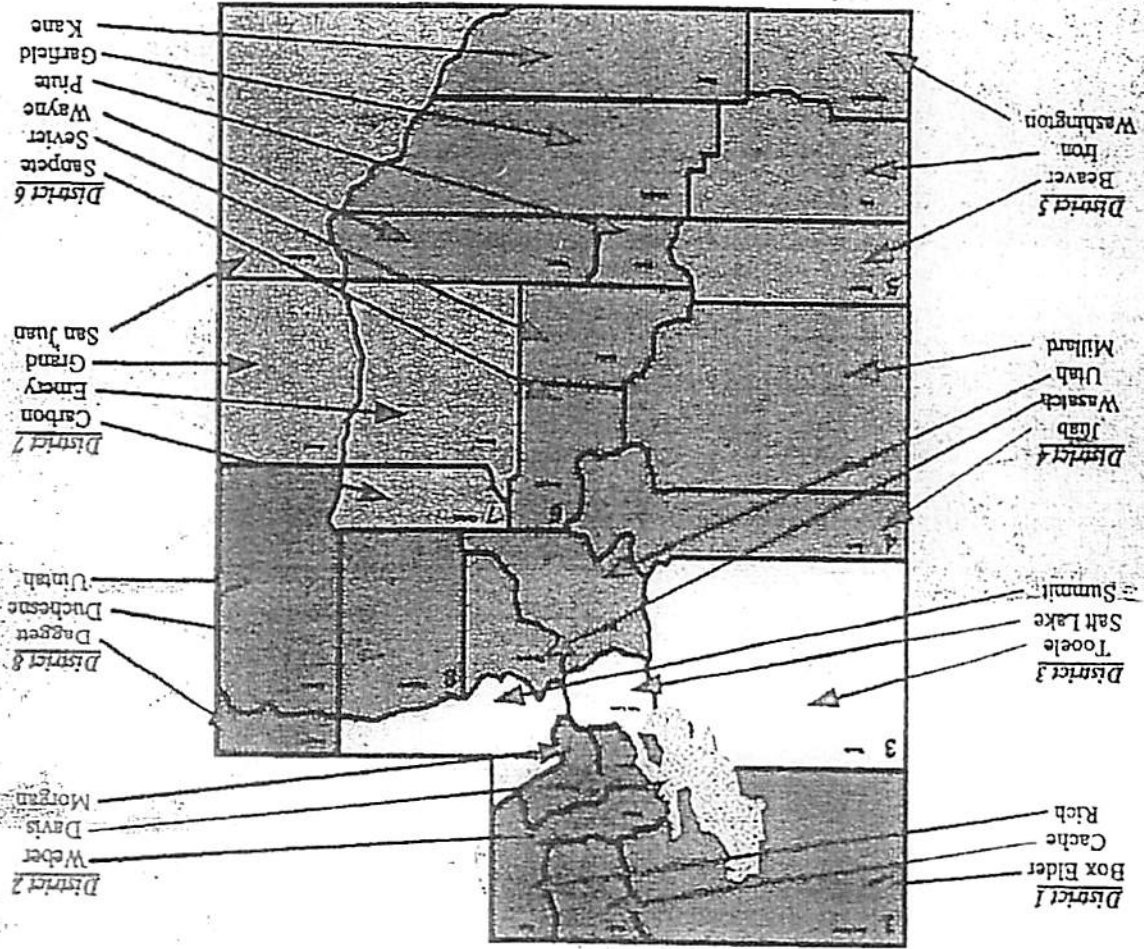
# Administrative Structure of the Utah State Courts



# ADMINISTRATIVE STRUCTURE



# MAP OF COURT DISTRICTS



## Boards & Committees

### Utah Judicial Council

<b>Chief Justice Matthew B. Durrant</b>	Chief Justice Utah Supreme Court
<b>Judge James Z. Davis</b>	Court of Appeals
<b>Glen R. Dawson</b>	District Court
<b>Judge George Harmond</b>	Seventh District Court
<b>Judge Thomas M. Higbee</b>	Fifth District Juvenile Court
<b>Judge Kimberly K. Hornak</b>	Third District Juvenile Court
<b>John R. Lund</b>	Attorney
<b>Judge David C. Marx</b>	Justice Court - Logan City/North Logan City/Hyde Park
<b>Judge Paul G. Maughan</b>	Third District Court
<b>Judge David N. Mortensen</b>	Fourth District Court
<b>Judge Reed S. Parkin</b>	Orem City Justice Court
<b>Justice Jill N. Parrish</b>	Utah Supreme Court
<b>Judge John Sandberg</b>	Clearfield/Clinton City Justice Court
<b>Judge Randall N. Skanchy</b>	Third District Court

## **Boards & Committees**

### **Board of District Court Judges**

<b>Judge Scott Hadley</b>	Chair Second District Court
<b>Judge Kevin Allen</b>	Vice Chair, First District
<b>Judge David Connors</b>	Second District Court
<b>Judge Mark Kouris</b>	Third District
<b>Judge Eric Ludlow</b>	Fifth District
<b>Judge Clark McClellan</b>	Eighth District
<b>Judge Derek Pullan</b>	Fourth District
<b>Judge Randall N. Skanchy</b>	Third District Court
<b>Judge James Taylor</b>	Fourth District
<b>Judge Kate Toomey</b>	Third District Court
<b>Commissioner Catherine Conklin</b>	Second District

## Boards & Committees

### Board of Justice Court Judges

<b>Judge David C. Marx</b>	Chair Justice Court - Logan City/North Logan City/Hyde Park
<b>Judge Brent Dunlap</b>	Iron County
<b>Judge Paul Farr</b>	Herriman
<b>Judge Sherlynn Fenstermaker</b>	Springville
<b>Judge Michael Kwan</b>	Taylorsville City Justice Court
<b>Judge Brendan P. McCullagh</b>	West Valley Justice Court
<b>Judge David Miller</b>	North Salt Lake
<b>Judge Reed S. Parkin</b>	Orem City Justice Court
<b>Judge Reuben Renstrom</b>	South Ogden Justice Court
<b>Judge John Sandberg</b>	Clearfield/Clinton City Justice Court
<b>Sandy Iwasaki</b>	Staff, Administrative Office
<b>Richard Schwermer</b>	Staff, Administrative Office of the Courts

## JOB DESCRIPTION

**TITLE:** DOMESTIC VIOLENCE PROGRAM COORDINATOR

**PAY RANGE:** \$23.48 - \$36.25

**FLSA EXEMPT:** Yes

**EEO DESIGNATION:** Professionals

**CAREER SERVICE PROBATIONARY PERIOD:** 12 months

**WORKING CONDITIONS:** Everyday Risks      **PHYSICAL REQUIREMENTS:** Sedentary

### PURPOSE AND DISTINGUISHING CHARACTERISTICS

(Description of the job which distinguishes it from other job(s) in a series or family)

Under direction of the District Court Administrator, administers domestic violence point of contact programs, performs public relations work related to programs, and coordinates between agencies or organizations. Incumbent coordinates structured programs requiring standard organization and training skills and a high level of interpersonal skills.

### EXAMPLES OF TASKS

(More specific information about the job can be found in the Purpose and Distinguishing Characteristics. This list contains tasks that are typically associated with the job. It is not all-inclusive and may vary from position to position. Hiring agencies may, depending on the specific nature of the position, modify these tasks and/or identify additional tasks, based on a current position analysis.)

- Develops and implements a statewide program or multiple programs within a district. Identifies budgetary needs and funding sources, tracks budget, arranges for necessary payments
- Develops and interprets policies, procedures, rules, regulations and standards in particular specialty areas
- Identifies problem areas relating to program operations and assumes leadership in resolving such issues; acts as liaison between the program, community, and allied agencies
- Provides consultation as required to assure statewide program effectiveness, or the effectiveness of district programs. Provides in service training to staff
- Develops program goals as required; develops evaluation tools and conducts on-going evaluation of programs in order to assure that the program meets the needs of the courts as well as complying with federal and state regulations
- Supervises and oversees daily operations; supervises staff, including assignment of duties, performance evaluation, recruitment and selection, and discipline
- Develops new programs based on input from management, program users, data reports or trends

- Coordinates public relations; provides public with information regarding court programs; prepares and issues statements to media
- Performs detailed research, policy analysis, prepares proposals and develops project plans associated with specific court administration rules, policies and projects
- Evaluates completed projects. Conducting research into broad topical areas as well as very focused technical applications may also be required.
- Assists with preparation and review of administrative policies and rules; ensures that policies and rules are consistent with legal requirements and existing policies and rules
- Assists with preparing and making oral presentations at conferences and workshops; assists with providing training on various topics to judges and court staff
- Performs other related duties as assigned
- Other tasks as assigned.

### KNOWLEDGE, SKILLS, AND ABILITIES

(This list contains KSAs that are typically associated with the job. It is not all-inclusive and may vary from position to position. Hiring agencies may, depending on the specific nature of the position, modify these KSAs and/or identify additional KSAs, based on a current position analysis.

- Knowledge of: management practices; applicable laws
- Ability to: communicate effectively, both verbally and in writing; establish and maintain effective working relationships with judges, court staff allied agencies, employees, and the public; follow written and verbal instructions
- Knowledge of the procedural operations of all levels of court, legal research analysis, design, and writing techniques, and strong computer skills including database management and statistical analysis programs
- Experience in a court administration or government environment primarily performing detailed policy analysis and research and design is preferred. Experience in drafting policies, rules and legislation is also highly desirable

### OTHER REQUIREMENTS

- Must be a member of the Utah State Bar in good standing
- Graduation from an ABA accredited law school with a juris doctorate degree
- Two years of legal experience, preferably in the area of domestic violence

# VALERIE PAUL

Home: 514 North 1160 East, Spanish Fork, UT 84660

Phone: (801) 691-8556 ; (801) 210-0543 E-mail: [vpaul680@gmail.com](mailto:vpaul680@gmail.com)

## Education

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### **Juris Doctorate, April 2010**

*J. Reuben Clark Law School, BYU, Provo, UT.*

- J. Reuben Clark Faculty Award for Service to the Law School Community, 2010
- Managing Editor of Technology, International Law & Management Review, 2009-2010; Associate Editor, 2008-2009
- Submissions Editor, Education Law Journal, 2009-2010; Associate Editor, 2008-2009
- Stephen L. Richards Academic Scholarship, 2007

### **Bachelor of Science, August 2007**

*Brigham Young University, Provo, UT*

- Double Major: Neuroscience and Psychology

**Admitted to practice in Idaho and Utah**

## Experience

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*Domestic Violence Program Coordinator, March 2012 - Present*

**Administrative Office of the Courts - Utah State Courts, Salt Lake City, UT**

- Created and implemented plan for needs assessment
- Worked with judges and domestic violence stakeholders to improve court response to domestic violence
- Researched issues related to protective orders and criminal domestic violence cases
- Worked with the Office of Victims of Crime to obtain grant funding
- Reviewed statutes and cases related to domestic violence
- Observed domestic violence cases and protective order hearings

*Contract Associate, September 2010 - Present*

**Brimley Law Office, Provo, UT**

- Drafted pleadings and memoranda related to family law and criminal law
- Communicated with clients about their cases, resolved client problems
- Researched issues related to custody, adoption, child support, and divorce
- Drafted trusts and wills, as well as other estate planning documents

*Law Clerk, February 2009 - April 2010*

**Pate, Pierce, and Baird, Salt Lake City, UT**

- Researched copyrights, trademarks and patent infringement
- Wrote memos on copyrights, licensing, patent litigation, trademarks, unfair competition, etc
- Prepared pleadings for intellectual property litigation

*Research Assistant, September 2009- December 2009*

**Professors Jones-Sanpei and Bryner**

- Researched Navajo Nation property rights
- Composed a paper summarizing Native American federal land rights
- Started work on a Navajo chapter database
- Contacted members of the BIA and other organizations on business methods within chapters

*Legal Extern, April 2009- August 2009*

**Technology Transfer Office, Brigham Young University**

- Conducted prior art searches in the fields of computer science, chemistry, and biology
- Composed patentability analyses
- Spoke to inventors and helped determine potential claims

*Research Assistant, September 2008- December 2008*

**International Center for Law and Religion, Brigham Young University**

- Researched issues related to US Church and State doctrine

- Edited a case book
- Prepared a teacher's manual for several chapters
- Participated in weekly conferences to assess chapter irregularities with professors

*Judicial Law Extern, June 2008 – August 2008*

**Ellen Gesmer, Bronx Supreme Court, New York City, NY – Matrimonial Part**

- Researched specific legal issues and prepared predictive memos related to family law
- Drafted parts of decisions that were later incorporated into decrees
- Observed court and discussed litigation with the judge and her clerk

*Legal Extern, June 2008 – August 2008*

**National Center for Full Faith and Credit, BWJP, Arlington, VA**

- Worked in several different areas relating to laws protecting battered women
- Wrote a case note on *DC v. Heller*
- Reviewed prosecutorial guides for crimes against women
- Prepared matrices of nationwide protective order statutes
- Prepared case briefs on 18 U.S.C. 2261 and 2262 in order to aid litigation

*Legal Extern, May 2008 – June 2008*

**Arent Fox, LLC, Washington D.C.**

- Prepared responses to office actions in trademarks and patent
- Performed legal research, wrote memos and prepared presentations
- Drafted Cease and Desist letters

*Legal Intern, September 2006 – August 2007*

**Brimley Law Office, Provo, UT**

*Legal Intern, May 2006 – August 2006*

**Cabinet Paul et Associés, Port-au-Prince, Haiti**

#### Volunteer and Extracurricular Activities

Utah Legal Services, October 2010

Human Service Worker, Wasatch Mental Health, April 2009-present

Public Interest Law Forum, Event Coordinator (2008-2009), Vice-President of Auction (2009-2010)

Centro Hispano Volunteer, Fall 2009

Minority Law Student Association, Community Service Coordinator (2009-2010)

Student Intellectual Property Law Association, Vice President, 2008-2009

Volunteer, Law Help Program, October 2007-April 2008

Guide/Translator, Symposium for International Law and Religious Studies, 2007-2008

Volunteer, Center for Women and Children in Crisis, October 2006 – March 2007

#### Languages/Other

Fluency in French and Haitian Creole, basic proficiency in Spanish, one year of study in Italian

Knowledge of HTML, proficiency in Microsoft Office suite, proficiency in Word Perfect suite

## H. ADDITIONAL RESOURCES

This section of the application should describe the sources and amounts of non-VAWA funding or resources that will be available from other sources. Applicants are encouraged to leverage other resources, including Federal, State, Local or Private, in support of this project.

1) List available resources in DESCENDING ORDER (largest contribution to smallest). If your agency exceeds 12 additional resources, list the remaining resources and amounts in the resource description section.

2) Indicate the contribution amount. If a monetary value cannot be established, put a zero in the amount box and provide an explanation in the resource description section.

3) Specify the status of funding by checking the applicable box (Federal, State, Local or Private)

4) Describe how each resource will be used. Include the anticipated funding duration. If no other resources are available, check the box below and provide an explanation in the resource description section.

**Do not leave this section blank**

Mark this box, if NO OTHER RESOURCES ARE AVAILABLE

				STATUS OF FUNDING			
Source	Description	Amount	Funding Duration	Federal	State	Local	Private
1	Personnel	18,198.99	1 year		X		
2	Office Space	4,500	1 year		X		
3	Travel/training	974	1 year		X		
4							
5							
6							
7							
8							
9							
10							
11							
12							
<b>NON-VAWA FUNDING TOTALS:</b>			<b>23,672.99</b>				

**Resource Description Section:** Describe how these resources will be used (Part 4) in the area below:

These funds will be provided by the state as match funds. See match section for additional details. These funds will come from the general fund allocated to the courts.

## I. AGENCY BUDGET

Each agency is required to submit a current fiscal budget.

- 1) Attach your agency's current fiscal budget.
- 2) Highlight where your program's financial resources are documented.

Available Revenue for FY14

4/4/2013

Ongoing General Funds		One-time General Funds	
Ongoing Turnover Savings	1,213,400		-
H.B. 10 Substitute – Sex Offense Amendments (Rep. Greenwood, R.)	2,400		-
H.B. 13 – Protection of Children Riding in Motor Vehicles (Rep. Arent, P.)	6,600		(6,600)
H.B. 50 – Dating Violence Protection Act (Rep. Seebig, J.)	124,200		-
H.B. 100 Second Substitute – Internet Privacy Amendments (Rep. Barlow, S.)	8,100		-
H.B. 102 Substitute – Arson Penalties Amendments (Rep. Wiley, L.)	2,800		-
H.B. 103 – Wireless Telephone Use Restrictions (Rep. Perry, L.)	4,000		-
H.B. 239 Second Substitute – Jury Service Amendments (Rep. Hall, C.)	22,600		(11,300)
H.B. 338 – Alimony Revisions (Rep. McIff, K.)	26,900		-
S.B. 49 Substitute – Child Welfare Modifications (Sen. Harper, W.)	4,000		(4,000)
S.B. 80 Substitute – Removal from Database Restricting Firearm Purchase (Sen. Thatcher, D.)	10,100		-
S.B. 125 – District Court Judge Amendments (Sen. Van Tassell, K.)	240,000		-
S.B. 127 – Juvenile Court Judge Amendments (Sen. Van Tassell, K.)	353,300		-
S.B. 131 – Assault Amendments (Sen. Osmond, A.)	10,500		-
S.B. 155 Sub – Postadoption Contact Agreements - Courts (Sen. Hilbyard, L.)	8,100		-
Drug Courts	130,000		-
Data Processing E-Filing Programming Funds	-		10,000
Transfer from Contracts Line-Item for UCA	93,000		-
VOIP Budget Savings (Richfield, West Valley, Logan, Silver Summit, Tooele)	28,000		-
Carry Forward Projection (Personnel + CE)	-		1,417,600
<b>Total Available Funds</b>	<b>2,288,000</b>		<b>1,403,700</b>
<b>Ongoing Obligations</b>		<b>Examples of Possible One-time Expenditures</b>	
8th Juvenile Judge	338,800	Time-limited Law Clerks - 4 FTEs	333,600
8th District Judge	240,000	Additional IT Support & Programming	100,000
Clerical Increase	887,000	Attorney - Legal Counsel	98,000
Career Track	318,200	Second Language Stipend	88,400
1 Law Clerk	83,400	Employee Assistance	10,000
Juvenile Law Clerk (50% Ongoing, 25% CIP, 25% 1-time)	41,700	Tuition Assistance	75,000
IT Programming	100,000	Employee Incentive Awards	200,000
Drug Courts	159,100	Grant Matching Funds	50,000
Market Comparability Adjustments	119,800	Contract Site Adjustment Funds	10,000
		Pro Tem/Interpreter/Jury Training	9,000
		ECR Evaluation	25,000
		Juvenile Law Clerk (.25% Funding)	20,900
		Leadership Conference Travel/Food	30,000
		Juvenile Court Extradition Funds	12,000
		Juvenile Court School Liaison	12,000
		Statewide Drug Court Conference	40,000
		District Court Program Administrator (.5 FTE to .75 FTE)	18,600
		UCA Purchases	71,200
		Reserve	202,000
<b>Obligated Funds</b>	<b>2,288,000</b>		<b>1,405,700</b>
<b>Total Available Funds - Obligated Funds = Remaining Funds</b>			

## CERTIFIED ASSURANCES

1. The subgrantee assures that grant funds awarded under the Violence Against Women Formula Grant Program, authorized by the Violent Crime Control and Law Enforcement Act of 1994, reauthorized through the Victims of Trafficking and Violence Protection Act of 2000, and again reauthorized in 2013 will not supplant State or local funds but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for victim assistance activities.
2. The subgrantee assures the matching funds required to pay the non-Federal portion of the cost of each program, for which grant funds are made available, shall be in addition to funds that would otherwise be made available for Violence Against Women projects by the recipients of grant funds.
3. The subgrantee assures that accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the Utah Office for Victims of Crime (UOVC) shall be provided to assure fiscal control, proper management, and efficient disbursement of funds received under the Act. Additionally, the applicant assures that it shall maintain such data and information and submit such reports, in such form, at such times, and containing such information as the Utah Office for Victims of Crime may require.
4. The subgrantee assures that it will comply with the lead agency's policies regarding travel, purchasing supplies and equipment, contractual agreements, etc. The only exception to this policy is personnel expenditures. According to the Fair Labor Standards Act, personnel costs including overtime must be paid according to the individual's employing agency's personnel policies. (The lead agency is the unit of local or State government or non-profit which employs the individual signing the grant application cover sheet as the Authorized Official.)
5. The subgrantee certifies that the programs contained in its application meet all requirements, that all the information is correct, that there has been appropriate coordination with affected agencies and that the applicant will comply with all provisions of the Act and all other applicable Federal laws, regulations, and guidelines.
6. The subgrantee assures that it will comply, and all its contractors will comply, with: Title VI of the Civil Rights Act of 1964 which prohibits recipients from discriminating on the basis of race, color, and national origin in the delivery of services. DOJ Guidance regarding Title VI of the Civil Rights Act of 1964 required recipients to take reasonable steps to ensure that persons with limited English proficiency (LEP) have meaningful access to funded programs. Section 504 of the Rehabilitation Act of 1973 as amended which provides on the basis of disability in the delivery of services and employment practices. Title II of the Americans with Disabilities Act of 1990 which prohibits discrimination on the basis of disability in the delivery of services and employment practices, and the DOJ

implement regulations at 28 C.F. R. Part 35. Title IX of the Education Amendments of 1972 which prohibits sex discrimination in educational programs. The Age Discrimination Act of 1975 which prohibits discrimination in the delivery of services on the basis of age. Age Discrimination in Employment Act which prohibits discrimination in employment (age 40 and over). DOJ Program Statutes: which includes Omnibus Crime Control and Safe Streets Act of 1968 as amended, and the Victims of Crime Act regarding nondiscrimination requirements which prohibit discrimination on the basis of race, color, national origin, sex, religion,, and disability in the delivery of services and employment practices. DOJ Regulation 28 C.F.R. Part 38 regarding the equal treatment for faith-based organizations. Department of Justice Nondiscrimination Regulations 28 C.F.R. Part 42, Subparts C, D, E, and G; and their implementing regulations.

7. The sub grantee assures that in the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex or disability against a recipient of funds the recipient will forward a copy of the findings to the Utah Office for Victims of Crime.

8. The sub grantee assures that it will comply with the applicable provisions of the Violent Crime Control and Law Enforcement Act of 1994 updated through the Victims of Trafficking and Violence Protection Act of 2000/2005 and the Office of Justice Programs' Financial Guide. The Financial Guide is available at: [www.ojp.usdoj.gov/oc/finance.html](http://www.ojp.usdoj.gov/oc/finance.html)

9. The sub grantee assures that it will comply with the provision of 28 CFR applicable to grants and cooperative agreements, including Part II, Applicability of Office of Management and Budget Circulars; Part 18, Administrative Review Procedures; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures; Part 46, Protect Human Subjects of federally funded research; Part 61, Procedures for Implementing the National environmental Policy Act; an Part 63 Floodplain Management and Wetland Protection Procedures.

10. A sub grantee that is a law enforcement agency, prosecution agency, or other government office certifies that it will not ask or require an adult, youth, or child victim of an alleged sex offense to submit to a polygraph examination or other truth telling device, as a condition for proceeding with the investigation of such an offense. The sub grantee further certifies that the refusal of a victim to submit to a polygraph or other truth telling examination shall not prevent the investigation, charging, or prosecution of an alleged sex offense.

11. A sub grantee that receives funds under the VAWA Court Category certifies that its judicial administrative policies and practices include notification to domestic violence

offenders of the requirements delineated in section 922(g)(8) and (g)(9) of Title 18, United States Code, and any applicable related Federal, State, or local laws.

12. A sub grantee that is a law enforcement agency, prosecution agency, court agency, or other government office certifies that it will consult with victim service programs during the course of developing its VAWA grant application.

13. A sub grantee that is a law enforcement agency, prosecution agency, court agency or other government office certifies that it will not ask or require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, or to be reimbursed for charges incurred on account of such an exam.

OMB APPROVAL NUMBER 1121-0140  
As modified by the Office of Criminal Justice Services  
Pursuant to request of the OJP Office of Civil Rights

## STANDARD ASSURANCES

The Applicant hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including OMB Circulars A-21, A-87, A-102, A-110, A-122, A-133; Ex. Order 12372 (intergovernmental review of federal programs); and 28 C.F.R. pts. 66 or 70 (administrative requirements for grants and cooperative agreements). The applicant also specifically assures and certifies that:

1. It has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
3. It will give the awarding agency or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.
4. It will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63, and the award term in 2 C.F.R. § 175.15(b).
5. It will assist the awarding agency (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).
6. It will comply (and will require any subgrantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which include:
  - Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d);
  - Victims of Crime Act (42 U.S.C. § 10604(e));
  - The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b));
  - Civil Rights Act of 1964 (42 U.S.C. § 2000d);
  - Rehabilitation Act of 1973 (29 U.S.C. § 7 94);
  - Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34);
  - Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86);
  - Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07);
  - Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).

- Equal Treatment for Faith-Based Organizations (28 C.F.R. pt. 38)
- Nondiscrimination; Equal Employment Opportunity; Policies and Procedures (28 C.F.R. pt. 42)

***In accordance with federal civil rights laws, the subrecipient shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.***

***Additionally, all grant recipients (including subgrantees or contractors) agree to report any complaints, lawsuits, or findings from a federal or state court or a federal or state Administrative Agency regarding a civil rights finding.***

7. If a governmental entity:

- it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
- it will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

Dan Becker/ State Court Administrator

Print/type name or title

Signature



10/1/2013

Date

## GRANT CONDITIONS

**1. Compensation and Method of Payment.** The Utah Office for Victims of Crime will reimburse the sub grantee for the Federal share of approved program expenditures on a monthly or quarterly basis as financial status reports are submitted and approved up to the amount of approved Federal expenditures.

**2. Reports.** The sub grantee shall submit, at such times and in such form as may be prescribed, such reports as the Office of Crime Victim Reparations may reasonably require, including at least four (4) quarterly financial and progress reports, and final financial and narrative reports. Quarterly financial and progress reports shall be received no later than 30 days after each quarter ends. Quarter ending dates: March 31, June 30, September 30, and December 31.

**ANNUAL Reports** must be received no later than **30 days** after the ending date of the project

**3. Report to Governing Entity.** The sub grantee shall give two reports during the program year to the local, state, or non-profit governing entity (city council, county commission, board of directors) receiving the grant funds. The reports will include crime categories under which crime victims are served, types of services provided, and program accomplishments as described under contract "Section E: Record of Providing Effective Services", in the quarterly progress reports and in the Muskie Annual Progress Report. VAWA-funded personnel shall participate in the report presentations. Completion of this requirement will be verified and reported in a quarterly progress report.

**4. Audit Reports.** Subgrantees are to have annual examinations in the form of audits. These audits will be submitted to Utah Office for Victims of Crime with any Management Letters no less than one month after completion of the audit. Local governments have 180 days after the end of their fiscal year to complete their audits while all other subgrantees have nine months to complete their audit. The audits must conform with OMB Circular A-133 and contain grant information in the Schedule of Federal Financial Assistance. During the audit process, either the subgrantee or the auditor will send the Utah Office for Victims of Crime a verification letter to confirm grant payments. The audit threshold is \$500,000 of total federal assistance expenditures made in the grantee's fiscal year.

**5. Matching Funds.** Subgrantees must provide adequate cash or in-kind match to defray at least twenty-five percent (25%) of the total costs of establishing and operating the program. This amount must be expended during the program period. The match must be funds that were not heretofore available for program efforts, but may include forfeited assets. The 25% match requirement may be computed by dividing the amount of the Federal funds requested by three (award ÷ 3=match).

**6. Utilization and Payment of Funds.** Funds awarded are to be expended only for purposes and activities covered by subgrantee's approved project activities and budget.

Project funds will be made available in accordance with provisions as prescribed by the Utah Office for Victims of Crime. The subgrantee agrees to return to the Utah Office for Victims of Crime all unexpended Federal funds provided hereunder within 60 days of termination of the subgrant. Payments will be adjusted to correct previous overpayment or underpayment and disallowances resulting from audit.

**7. Obligation of Grant Funds.** Subgrant funds may not be obligated prior to the effective date or subsequent to the termination date of the subgrant period. Obligations outstanding as of the termination date shall be liquidated within 90 days. Such obligations must be related to goods or services provided and utilized within the grant period.

**8. Expenses Not Allowable.** Project funds may not be expended for: (a) items not part of the approved budget or separately approved by the Utah Office for Victims of Crime; (b) the purchase of land; (c) construction projects; (d) indirect or overhead cost rates which have not been approved by the federal government. Expenditure of funds in excess of ten percent (10%) of the amount budgeted per budget category will be permitted only with prior written approval from the Utah Office for Victims of Crime.

**9. Termination of Aid.** If through any cause the subgrantee shall fail to substantially fulfill in a timely and proper manner all its obligations, terms, covenants, conditions, or stipulations of the subgrant agreement, or substantially fails to comply with the Victims of Crime Act of 1984 as reauthorized; and any regulations promulgated under these laws, as determined by the UOVC, then the UOVC shall have the right to terminate the subgrant agreement or to suspend fund payments by giving written notice to the subntee of such action and specifying the effective date thereof, at least thirty (30) days before the effective date of such action. In such event, all finished and unfinished documents, data studies, surveys, drawings, maps, models, photographs and reports prepared by or on behalf of the subgrantee under the subgrant agreement shall at the option of the UOVC, become its property, and the subgrantee shall be entitled to receive just and equitable reimbursement of any work satisfactorily completed under the subgrant agreement.

**10. Inspection and Audit.** The UOVC, Department of Justice, and the Comptroller General of the United States, or any of their duly authorized representatives shall have access for purpose of audit and examinations to any books, documents, papers, and records of the sub grantee, and to relevant books and records of sub grantees and contractors as provided for in P.L. 90-351 as amended, P.L. 99-570, and the OJP Financial Guide.

**11. Personal Property.** The subgrantee shall retain any non-expendable personal property acquired with subgrant funds in the grant program as long as there is a need for the property to accomplish the purpose of the grant program whether or not the program continues to be supported by UOVC subgrant funds. When there is no longer a need for

the property to accomplish the purpose of the program, the subgrantee shall request property disposition instructions from the UOVC.

**12. Maintenance of Records.** All financial and statistical records, supporting documents, and all other records pertinent to sub grants or contracts shall be retained for at least three years after completion of the project for purposes of state and federal examinations and audits.

**13. Written Approval of Changes.** Subgrantees must obtain prior written approval from the UOVC for major program changes. These include (a) change of substance in program activities, designs, or objectives; (b) changes in the project director or key professional personnel identified in the approved application; and (c) changes in the approved project budget.

**14. Third Party Participation.** No contract or agreement may be entered into by the subgrantee for execution of project activities or provision of services (other than purchase of supplies or standard commercial or maintenance services) which is not incorporated in the approved proposal or approved in advance by the UOVC. Any such arrangement shall provide that the subgrantee will retain ultimate control and responsibility for the subgrant project and that the subgrantee shall be bound by these subgrant conditions and any other requirements applicable to the subgrantee in the conduct of the project. The UOVC shall be provided with a copy of all such contracts and agreements entered into by subgrantees.

**15. Publications.** All published material and written reports submitted under grants or in conjunction with contracts under grants must be originally developed material unless otherwise specifically provided in the grant or contract document. When material, not originally developed, is included in the report, it must have the source identified. This identification may be in the body of the report or by footnote. This provision is applicable when the material is in a verbatim or extensive paraphrase format. All written reports, studies and publications in pamphlet form must carry a caveat on the cover and title page which reads as follows:

PREPARATION AND PRINTING OF THIS DOCUMENT FINANCED BY  
THE U.S. BUREAU OF JUSTICE ASSISTANCE AND  
UTAH OFFICE FOR VICTIMS OF CRIME  
GRANT NUMBER: 12- VAWA-01  
(Fill in the grant # that paid for the report or publication)

**16. Written Descriptions of Programs.** The subgrantee agrees that when issuing statements, press releases, requests for proposals, bid solicitation, and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to state and local governments, shall clearly state (a) the percentage of the total cost of the program or project which will be financed with Federal money, and (b) the dollar amount of Federal funds for the project or program.

**17. Conflict of Interest.** The subgrantee covenants that if it is a not-for-profit entity none of its officers, agents, members, or persons owning a "substantial interest" in the entity, is presently, nor during the life of this contract shall be, officers or employees of the UOVC, provided that if such persons are or become officers or employees of the UOVC they must disqualify this application and any future discussions concerning the entity making this application.

**18. Program Director.** There shall at all times during the life of the subgrant agreement be an individual appointed by the subgrantee as "Program Director." This individual will be responsible for program planning, operation and administration under the subgrant agreement.

**19. Confidentiality of Research Information.** Pursuant to Section 229 of the Justice System Improvements Act of 1979, research information identifiable to an individual, which was obtained through a program funded wholly or in part with VAWA funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding. 28 CFR Part 22.

**20. Release of Information.** All records, papers and other documents kept by recipients of UOVC VAWA funds, their subgrantees and contractors, relating to the receipt and disposition of such funds, are required to be made available to the UOVC or the Bureau of Justice Assistance. These records and other documents submitted to the UOVC or the BJA pursuant to application for funds, are required to be made available to the UOVC or to the BJA under the terms and conditions of the Federal Freedom of Information Act, 5 U.S.C. 552.

**21. Project Income.** All interest or other income earned by the subgrantee with respect to grant funds or as a result of conduct of the grant project (asset forfeitures, sale of publications, registration fees, services charges on fees, etc.) must be tracked. Interest on grant fund advancements must be returned to the UOVC by check payable to the Treasurer of the State of Utah. All other program income will remain with the project or be used to reduce projects costs. Program income is subject to the same requirements as are the Federal grant and cash match monies.

**22. Political Activity.** The restrictions of the Hatch Act, P.L. 93-443, 5 U.S.C. Chapter 73, Subchapter III (as amended), concerning the political activity of government employees are applicable to state and local government employees whose principal employment is in connection with activities financed, in whole or in part, by Title I grants. Under a 1975 amendment to the Hatch Act, such State and local government employees may take an active part in political management and campaigns except they may not be candidates for office.

**23. Copyrights and Rights in Data.** Where activities supported by this grant produce original computer programs, writings, sound recordings, pictorial reproductions, drawing or other graphical representation and works of any similar nature (the term computer programs includes executable computer programs and supporting data in any form), the government has the right to use, duplicate and disclose, in whole, in part, or in any manner for any purpose whatsoever and have others do so. If the material is copyrightable, the grantee may copyright such, but the government reserves a royalty-free non-exclusive and irreversible license to reproduce, publish and use such materials in whole or in part and authorize others to do so.

**24. Patents.** If any discovery or invention arises or is developed in course of, or as result of work performed under this grant, the subgrantee shall refer the discovery or invention to VAWA. The subgrantee hereby agrees that determination of rights to inventions made under this grant shall be made by the Administrator of VAWA or his duly authorized representative, who shall have the sole and exclusive powers to determine whether or not and where patent application should be filed and to determine the disposition of all rights in such inventions, including title to and license rights under any patent application or patent which may issue thereon. The determination of the Administrator, or his duly authorized representative, shall be accepted as final. In addition, the subgrantee hereby agrees and otherwise recognizes that the Government shall acquire at least an irrevocable non-exclusive royalty free license to practice and have practiced throughout the world for governmental purposes any invention made in the course of or under this sub grant.

**25. Information Systems.** With respect to programs related to criminal justice information systems, the grantee agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of integrity and accuracy of data collection. The grantee further agrees:

- a. That all computer programs (software) produced under this grant will be made available to VAWA for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.

b. To provide a complete copy of the computer programs and documentation, upon request, to VAWA. The documentation will include but not be limited to system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.

**26. Sexual Assault Forensic Medical Exam.** The State and sub grantees shall not require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, and reimbursement for changes incurred on account of such an exam.

**27. Criminal Penalties.**

a. Whoever embezzles, willfully misapplies, steals or obtains by fraud or endeavors to embezzle, willfully misapply, steal or obtain by fraud any funds, assets, or property which are the subject of grant or contractor or other form of assistance pursuant to this title, whether received directly or indirectly from the Administration; or whether receives, conceals, or retains such funds, assets, or property to his use or gain, knowing such funds, assets, or property to have been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

b. Whoever knowingly and willfully falsifies, conceals, or covers up by trick, scheme, or device, any material fact in any application for assistance submitted pursuant to the Act, whether received directly or indirectly from the Administration, shall be subject to the provisions of Section 371 of Title 18, U.S.C.

The signature below certifies that the program proposed in this application meets all the requirements of the Violent Crime Control and Law Enforcement Act of 1994 and updated reauthorizations in 2000, 2005 and 2013 that all the information presented is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with the provisions of the Crime Control Act and all other Federal laws. By appropriate language incorporated in each grant, subgrant or other document under which funds are to be disbursed, the authorized official shall assure that the applicable certified assurances and grant conditions will be complied with by their own agency and any other agency with whom they make contracts or agreements with.

**SUBGRANTEE ACCEPTANCE OF CERTIFIED ASSURANCES AND GRANT CONDITIONS (sign below)**

Daniel Becker, State Court Administrator



10/11/2013

Authorized Official (same as Contract Cover Sheet)

Date

**CERTIFICATION FORM**

Recipient Name and Address: Administrative Office of the Courts, 450 S. State St., Salt Lake City, UT 84114

Grant Title: Domestic Violence Program Grant Number: 13-VAWA-01 Award Amount: \$64,491.89

Contact Person Name and Title: Debra Moore, District Ct. Adm. Phone Number: (801)578-3800

Federal regulations require recipients of financial assistance from the Office of Justice Programs (OJP), its component agencies, and the Office of Community Oriented Policing Services (COPS) to prepare, maintain on file, submit to OJP for review, and implement an Equal Employment Opportunity Plan (EEOP) in accordance with 28 C.F.R §§ 42.301-.308. The regulations exempt some recipients from all of the EEOP requirements. Other recipients, according to the regulations, must prepare, maintain on file and implement an EEOP, but they do not need to submit the EEOP to OJP for review. Recipients that claim a complete exemption from the EEOP requirement must complete **Section A** below. Recipients that claim the limited exemption from the submission requirement must complete **Section B** below. **A recipient should complete either Section A or Section B, not both.** If a recipient receives multiple OJP or COPS grants, please complete a form for each grant, ensuring that any EEOP recipient certifies as completed and on file (if applicable) has been prepared within two years of the latest grant. Please send the completed form(s) to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7 Street, N.W., Washington, D.C. 20531. For assistance in completing this form, please call (202)307-0690 or TTY (202)307-2027.

**Section A- Declaration Claiming Complete Exemption from the EEOP Requirement. Please check all the boxes that apply.**

- Recipient has less than 50 employees;
- Recipient is a non-profit organization;
- Recipient is a medical institution;
- Recipient is an Indian tribe.
- Recipient is an educational institution, or
- Recipient is receiving an award less than \$25,000

I, \_\_\_\_\_ [responsible official], certify that \_\_\_\_\_ [recipient] is not required to prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R §42.302. I further certify that \_\_\_\_\_ [recipient] will comply with applicable Federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

Print or type Name and Title	Signature	Date
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**Section B- Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review.**

If a recipient agency has 50 or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, then the recipient agency does not have to submit an EEOP to OJP for review as long as it certifies the following (42 C.F.R. § 42.305):

I, Robert Parkes [responsible official], certify that the Administrative Office of the Courts[recipient], which has 50 or more employees and is receiving a single award or subaward for \$25,000 or more, but less than \$500,000, has formulated an EEOP in accordance with 28 CFR §42.301, et seq., subpart E. I further certify that the EEOP has been formulated and signed into effect within the past two years by the proper authority and that it is available for review. The EEOP is on file in the office of: Administrative Office of the Courts[organization], at 450 S. State St., Salt Lake City, UT [address], for review by the public and employees or for review or audit by officials of the relevant state planning agency or the Office for Civil Rights, Office of Justice Programs, U. S. Department of Justice, as required by relevant laws and regulations.

Rob Parkes, HR Director  
 Print or type Name and Title  
 OMB Approval No. 1121-0140

  
 Signature

10/15/13  
 Date

Expiration Date: 12/31/12

U.S. DEPARTMENT OF JUSTICE

*OFFICE OF JUSTICE PROGRAMS*  
*OFFICE OF THE COMPTROLLER*  
**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT,  
SUSPENSION AND OTHER RESPONSIBILITY MATTERS  
AND  
DRUG-FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

**1. LOBBYING**

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

**2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS  
(DIRECT RECIPIENT)**

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court,

or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### **3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a

criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to:

Department of Justice  
Office of Justice Programs  
ATTN: Control Desk  
810 Seventh Street, N.W.,  
Washington, D.C. 20531

Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)  
Administrative Office of the Courts  
450 S. State Street  
Salt Lake City, UT 84114-0241

Check \_\_\_ if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

**DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to:

Department of Justice  
Office of Justice Programs  
ATTN: Control Desk  
810 Seventh Street, N.W.,  
Washington, D.C. 20531

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:  
Administrative Office of the Courts

450 S. State St.  
Salt Lake City, UT 84114

2. Application Number and/or Project Name:  
Domestic Violence Program

3. Grantee IRS/Vendor Number 87--600545

4. Type/Print Name and Title of Authorized Representative  
Daniel Becker, State Court Administrator

5. Signature 

10/1/2013

6. Date

OJP FORM 4061/6 (3-91) REPLACES OJP FORMS 4061/2, 4061/3 AND 4061/4 WHICH ARE OBSOLETE. OFFICE OF JUSTICE PROGRAMS BJA NIJ OJJDP BJS OVC

### CERTIFICATION REGARDING COMPLIANCE WITH VICTIM RIGHTS

Sub grantee understands that the purpose of this grant is to provide financial assistance to organizations that serve victims of crime. Grantee understands that certain state laws exist setting a minimum level of rights for victims of crime and that these rights change from time to time. Sub grantee further understands that all agencies who apply for and receive these grant funds must contractually agree to extend any and all rights and services, applicable to the agency, that are required by law.

Sub grantees specifically represents herein that Sub grantees understands the legal rights extended to victims of crime and will train all relevant employees and volunteers in those rights. Sub grantee specifically agrees to comply with all victim rights laws.

1. Name of Authorized Official: Daniel Becker

2. Title Of Authorized Official: State Court Administrator

3. Signature of Authorized Official:  10/11/2012  
Date

4. Name of Organization: Administrative Office of the Courts

5. Address of Organization: 450 S. State Street

Salt Lake City, UT 84114

## Audit Requirements

(Local Agencies Only)

The applicant agency expending more than \$500,000 in Federal funds per year assures that it will submit audit reports (with Management Letters) to UOVC annually. The audit report must comply with OMB circular A-133 and be submitted to UOVC within one month of completion of the audit.

By State code, local governments must complete their audit within six months of the end of their fiscal year, other agencies must complete their audit within nine months. During the audit process sub grantees or their auditors must send UOVC a confirmation letter that verifies payments made to the grant program.

The audit will include a Schedule of Federal Financial Assistance that contains revenue and expenditure information from the grant. The following information will assist the auditors in completing the Schedule of Federal Financial assistance: **The Federal Grantor Number is for UOVC use only. Please leave blank.**

FEDERAL GRANT AGENCY: Department of Justice

FEDERAL GRANTOR NUMBER:

FEDERAL CFDA NUMBER: 16.588

Additionally, please provide the following information:

1. Fiscal Year of Applicant Agency\* (July - June, Jan - Dec, etc.) July - June
2. Name and title of audit contact person\*\*: Austin Johnson, State Auditor  
(Individual responsible for agency's Single Audit)
3. Address: Office of the State Auditor  
P.O. Box 142310  
Salt Lake City, UT 84114-2310
4. Telephone Number: 801-538-1025

\*The 'agency' referred to here is the unit of local government or the non-profit agency to apply for the grant.

\*\*Provide the audit contact person with a copy of this form.

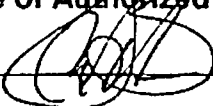
**OFFICE OF THE COMPTROLLER  
OFFICE OF JUSTICE PROGRAMS**

This certification is required by the regulations implement Executive Order 12549, Debarment and Suspension, 29 CFR Part 67.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (Pages 19160-19211).

**(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON NEXT PAGE)**

1. The prospective lower tier participant certifies by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by and Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**Name and Title of Authorized Representative:** Daniel Becker, State Ct. Admin.  
(Same Authorized Official as on contract cover sheet)

Signature:  Date: 10/11/2013

Name of Organization: Administrative Office of the Courts

Address of Organization: 450 S. State St.  
Salt Lake City, UT 84114

**INSTRUCTIONS FOR CERTIFICATION**

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transactions with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," without notification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the No procurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transaction authorized under paragraph 5 of these instruction, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

### RAPE CRISIS COUNSELOR MANDATE FOR THE STATE OF UTAH

(Applicable to Non-Profit Organizations)

The Utah Office for Victims of Crime requires all non-profit organizations (501(c)3) receiving Violence Against Women (VAWA) funding who provide rape crisis services to certify their compliance with the Confidential Communications for Sexual Assault Act, Utah State Judicial Code 77. All Sub grantee staff and volunteers who provide direct services to victims of sexual violence must complete 40 hours of training in assisting victims of sexual assault. Training to certify as a Rape Crisis Counselor must be provided by a Utah Rape Crisis Program or a State sexual assault coalition.

#### Confidential Communications for Sexual Assault Act Utah State Judicial Code Section 77

**77-38-210 Title:** This part is known and cited as the "Confidential Communications for Sexual Assault Act" Enacted by Chapter 158, 1983 General Session

**77-38-202 Purpose:** It is the purpose of this act to enhance and promote the mental, physical, and emotional of victims of sexual assault and to protect the information given by victims to sexual assault counselors from being disclosed.

**77-38-203 Definitions:**

- (1) "Confidential communication" means information given to sexual assault counselor by a victim and includes reports or working papers made in the course of the counseling relationship.
- (2) "Rape Crisis Center" mean any office, institution, or center assisting victims of sexual assault and their families which offer crisis intervention, medical, and legal series, and counseling.
- (3) "Sexual assault counselor" means a person who is employed by or volunteers at a rape crisis center who has a minimum of 40 hours of training in counseling and assisting victims of sexual assault and who is under the supervision of the director or designee of a rape crisis center.
- (4) "Victim" means a person who has experienced a sexual assault of whatever nature including incest and rape and request counseling or assistance regarding the mental, physical, and emotional consequences of the sexual assault. *Enacted by Chapter 158, 1983 General Session.*

**77-38-204 Disclosure of confidential communications.** The confidential communication between a victim and a sexual assault counselor is available to a third person only when:

- (1) the victim is as minor and the counselor believes it is in the best interest of the victim to disclose the confidential communication to the victim's parents;
- (2) the victim is a minor and minor's parents or guardian have consented to disclosure of the confidential communication to a third party based upon representations made by the counselor that it is in the best interest of the minor victim to make such disclosure;
- (3) the victim is not a minor, has given consent, and the counselor believes the disclosure is necessary to accomplish the desired result of counseling; or
- (4) the counselor has an obligation under Title 62A, Chapter 4, to report information transmitted in the confidential communication

Amended by Chapter 30, 1992 General Session

AS THE DULY AUTHORIZED REPRESENTATIVE OF THE APPLICANT, I HEREBY CERTIFY THAT THE APPLICANT IS IN COMPLIANCE WITH THE TRAINING MANDATE STATED ABOVE (SIGN BELOW)

10/10/2013

\_\_\_\_\_  
AUTHORIZED OFFICIAL (SAME AS CONTRACT COVER SHEET)

\_\_\_\_\_  
DATE

IF YOU ARE NOT CURRENTLY IN COMPLIANCE WITH THE TRAINING MANDATE STATED ABOVE, PLEASE CHECK THE BOX AND SUBMIT A LETTER REQUESTING A 90 DAY EXTENTION IN ORDER TO COMPLY.

**The following two documents are neither mandatory nor do they need signatures.**  
These documents have been included as required. They are provided to encourage Federal subgrantees to adopt and enforce on-the-job policies and programs for its employees and contractors.

**SEAT BELT USE BY GOVERNMENT CONTRACTORS, SUBCONTRACTORS, AND GRANTEES**

**THE WHITE HOUSE**  
Office of the Press Secretary

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For Immediate Release

October 1, 2009

**EXECUTIVE ORDER**

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**FEDERAL LEADERSHIP ON REDUCING TEXT MESSAGING WHILE DRIVING**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 7902(c) of title 5, United States Code, and the Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. 101 et seq., and in order to demonstrate Federal leadership in improving safety on our roads and highways and to enhance the efficiency of Federal contracting, it is hereby ordered as follows:

Section 1. Policy. With nearly 3 million civilian employees, the Federal Government can and should demonstrate leadership in reducing the dangers of text messaging while driving. Recent deadly crashes involving drivers distracted by text messaging while behind the wheel highlight a growing danger on our roads. Text messaging causes drivers to take their eyes off the road and at least one hand off the steering wheel, endangering both themselves and others. Every day, Federal employees drive Government-owned, Government-leased, or Government-rented vehicles (collectively, GOV) or privately-owned vehicles (POV) on official Government business, and some Federal employees use Government-supplied electronic devices to text or e-mail while driving. A Federal Government-wide prohibition on the use of text messaging while driving on official business or while using Government-supplied equipment will help save lives, reduce injuries, and set an example for State and local governments, private employers, and individual drivers. Extending this policy to cover Federal contractors is designed to promote economy and efficiency in Federal procurement. Federal contractors and contractor employees who refrain from the unsafe practice of text messaging while driving in connection with Government business are less likely to experience disruptions to their operations that would adversely impact Federal procurement

Sec. 2. Text Messaging While Driving by Federal Employees. Federal employees shall not engage in text messaging (a) when driving GOV, or when driving POV while on official Government business, or (b) when using electronic equipment supplied by the Government while driving.

Sec. 3. Scope of Order. (a) All agencies of the executive branch are directed to take appropriate action within the scope of their existing programs to further the policies of this order and to implement section 2 of this order. This includes, but is not limited to, considering new rules and programs, and reevaluating existing programs to prohibit text messaging while driving, and conducting education, awareness, and other outreach for Federal employees about the safety risks associated with texting while driving. These initiatives should encourage voluntary compliance with the agency's text messaging policy while off duty.

(b) Within 90 days of the date of this order, each agency is directed, consistent with all applicable laws and regulations: (i) to take appropriate measures to implement this order, (ii) to adopt measures to ensure

compliance with section 2 of this order, including through appropriate disciplinary actions, and (iii) to notify the Secretary of Transportation of the measures it undertakes hereunder.

(c) Agency heads may exempt from the requirements of this order, in whole or in part, certain employees, devices, or vehicles in their respective agencies that are engaged in or used for protective, law enforcement, or national security responsibilities or on the basis of other emergency conditions.

**Sec. 4. Text Messaging While Driving by Government Contractors, Subcontractors, and Recipients and Subrecipients.** Each Federal agency, in procurement contracts, grants, and cooperative agreements, and other grants to the extent authorized by applicable statutory authority, entered into after the date of this order, shall encourage contractors, subcontractors, and recipients and subrecipients to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or GOV, or while driving POV when on official Government business or when performing any work for or on behalf of the Government. Agencies should also encourage Federal contractors, subcontractors, and grant recipients and subrecipients as described in this section to conduct initiatives of the type described in section 3(a) of this order.

**Sec. 5. Coordination.** The Secretary of Transportation, in consultation with the Administrator of General Services and the Director of the Office of Personnel Management, shall provide leadership and guidance to the heads of executive branch agencies to assist them with any action pursuant to this order.

**Sec. 6. Definitions.**

(a) The term "agency" as used in this order means an executive agency, as defined in 5 U.S.C. 105, except for the Government Accountability Office (b) "Texting" or "Text Messaging" means reading from or entering data into any handheld or other electronic device, including for the purpose of SMS texting, e-mailing, instant messaging, obtaining navigational information, or engaging in any other form of electronic data retrieval or electronic data communication. (c) "Driving" means operating a motor vehicle on an active roadway with the motor running, including while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise. It does not include operating a motor vehicle with or without the motor running when one has pulled over to the side of, or off, an active roadway and has halted in a location where one can safely remain stationary.

**Sec. 7. General Provisions.**

(a) Nothing in this order shall be construed to impair or otherwise affect or alter:

- (i) Authority granted by law or Executive Order to an agency, or the head thereof;
- (ii) Powers and duties of the heads of the various departments and agencies pursuant to the Highway Safety Act of 1966, as amended, 23 U.S.C. 402 and 403, section 19 of the Occupational Safety and Health Act of 1970, as amended, 29 U.S.C. 668, sections 7901 and 7902 of title 5, United States Code, or the Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. 101 et seq.;
- (iii) Rights, duties, or procedures under the National Labor Relations Act, 29 U.S.C. 151 et seq.; or
- (iv) Functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA

THE WHITE HOUSE,

October 1, 2009.

**Executive Order 13513 of October 1, 2009  
Federal Leadership On Reducing Text Messaging While Driving**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 7902(c) of title 5, United States Code, and the Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. 101 *et seq.*, and in order to demonstrate Federal leadership in improving safety on our roads and highways and to enhance the efficiency of Federal contracting, it is hereby ordered as follows:

**Section 1. Policy.** With nearly 3 million civilian employees, the Federal Government can and should demonstrate leadership in reducing the dangers of text messaging while driving. Recent deadly crashes involving drivers distracted by text messaging while behind the wheel highlight a growing danger on our roads. Text messaging causes drivers to take their eyes off the road and at least one hand off the steering wheel, endangering both themselves and others. Every day, Federal employees drive Government owned, Government-leased, or Government-rented vehicles (collectively, GOV) or privately-owned vehicles (POV) on official Government business, and some Federal employees use Government-supplied electronic devices to text or e-mail while driving. A Federal Government-wide prohibition on the use of text messaging while driving on official business or while using Government-supplied equipment will help save lives, reduce injuries, and set an example for State and local governments, private employers, and individual drivers. Extending this policy to cover Federal contractors is designed to promote economy and efficiency in Federal procurement. Federal contractors and contractor employees who refrain from the unsafe practice of text messaging while driving in connection with Government business are less likely to experience disruptions to their operations that would adversely impact Federal procurement.

**Sec. 2. Text Messaging While Driving by Federal Employees.** Federal employees shall not engage in text messaging (a) when driving GOV, or when driving POV while on official Government business, or (b) when using electronic equipment supplied by the Government while driving.

**Sec. 3. Scope of Order.** (a) All agencies of the executive branch are directed to take appropriate action within the scope of their existing programs to further the policies of this order and to implement section 2 of this order. This includes, but is not limited to, considering new rules and programs, and reevaluating existing programs to prohibit text messaging while driving, and conducting education, awareness, and other outreach for Federal employees about the safety risks associated with texting while driving. These initiatives should encourage voluntary compliance with the agency's text messaging policy while off duty. (b) Within 90 days of the date of this order, each agency is directed, consistent with all applicable laws and regulations: (i) to take appropriate measures to implement this order, (ii) to adopt measures to ensure compliance with section 2 of this order, including through appropriate disciplinary actions, and (iii) to notify the Secretary of Transportation of the measures it undertakes hereunder.

(c) Agency heads may exempt from the requirements of this order, in whole or in part, certain employees, devices, or vehicles in their respective agencies that are engaged in or used for protective, law enforcement, or national security responsibilities or on the basis of other emergency conditions.

**Sec. 4. Text Messaging While Driving by Government Contractors, Subcontractors, and Recipients and Subrecipients.** Each Federal agency, in procurement contracts, grants, and cooperative agreements, and other grants to the extent authorized by applicable statutory authority, entered into after the date of this order, shall encourage contractors, subcontractors, and recipients and subrecipients to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or GOV, or while driving POV when on official Government business or when performing any work for or on behalf of the Government. Agencies should also encourage Federal contractors, subcontractors, and grant recipients and subrecipients as described in this section to conduct initiatives of the type described in section 3(a) of this order.

**Sec. 5. Coordination.** The Secretary of Transportation, in consultation with the Administrator of General Services and the Director of the Office of Personnel Management, shall provide leadership and guidance to the heads of executive branch agencies to assist them with any action pursuant to this order.

**Sec. 6. Definitions.** (a) The term "agency" as used in this order means an executive agency, as defined in 5 U.S.C. 105, except for the Government Accountability Office.

(b) "Texting" or "Text Messaging" means reading from or entering data into any handheld or other electronic device, including for the purpose of SMS texting, e-mailing, instant messaging, obtaining navigational information, or engaging in any other form of electronic data retrieval or electronic data communication.

(c) "Driving" means operating a motor vehicle on an active roadway with the motor running, including while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise. It does not include operating a motor vehicle with or without the motor running when one has pulled over to the side of, or off, an active roadway and has halted in a location where one can safely remain stationary.

**Sec. 7. General Provisions.** (a) Nothing in this order shall be construed to impair or otherwise affect or alter: (i) Authority granted by law or Executive Order to an agency, or the head thereof; (ii) Powers and duties of the heads of the various departments and agencies pursuant to the Highway Safety Act of 1966, as amended, 23 U.S.C. 402 and 403, section 19 of the Occupational Safety and Health Act of 1970, as amended, 29 U.S.C. 668, sections 7901 and 7902 of title 5, United States Code, or the Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. 101 *et seq.*; (iii) Rights, duties, or procedures under the National Labor Relations Act, 29 U.S.C. 151 *et seq.*; or (iv) Functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals. (b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations. (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA

THE WHITE HOUSE,  
October 1, 2009.

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## VAWA VIOLENCE APPLICATION CHECKLIST AGAINST WOMEN GRANT PROGRAM

To ensure that all sections of the application are included, check off each item as completed.

Attach this checklist to your application as verification that each item has been completed, signatures have been provided where needed and all required materials are included.

<b>GRANT SECTION</b>	
	<b>APPLICATION</b>
	Cover Sheet
	Required VAWA Questions
	<b>BUDGET SECTION</b>
	<b>MATCH SECTION</b>
	<b>PROGRAM EXPENDITURE COMPARISON SUMMARY</b>
	<b>VAWA FUNDED EQUIPMENT SUMMARY</b>
	<b>VAWA NARRATIVE:</b>
	Section A: Statement of Need and Target Population
	Section B: Collaboration with Existing Professions and Priority Areas
	Minimum of 3 Current Letters of Collaboration
	Section C: Program Plan and Evaluation
	Justification for not addressing 3 goals with 3 objectives each
	Section D: Statistic Reporting
	Section E: Record of Providing Effective Services
	Section F: VOCA Sub grantees
	Section G: Project Administration
	Organizational Chart
	Roster of Governing Board
	Position Title and Job Description for VAWA funded staff
	Section H: Additional Resources
	Section I: Agency Budget
<b>CERTIFICATIONS/FORMS</b>	
	Certified Assurances
	Standard Assurances
	Grant Conditions
	Civil Rights Requirements
	Lobby, Debarment, Suspensions, Ineligibility, etc.
	Certification Regarding Compliance With Victims' Rights
	Audit Requirements
	Certification Regarding Lobbying, Debarment, Drug-Free Work Place
	Certifications Regarding Complainer with Rape Crisis Training Mandate
	Executive Order: Seat - Belt
	Executive Order: Text Messaging