

## JUDICIAL COUNCIL MEETING

### AGENDA

**March 8, 2019**

**Hyatt Place Hotel**

**1819 South 120 East**

**St. George, Utah 84790**

**12:30 p.m. – 4:00 p.m.**

*Chief Justice Matthew B. Durrant Presiding*

**Lunch will be served at 12:00 p.m.**

1. 12:30 p.m. Welcome & Approval of Minutes..... Chief Justice Matthew B. Durrant  
(Tab 1 – Action)
2. 12:35 p.m. Chair’s Report..... Chief Justice Matthew B. Durrant
3. 12:40 p.m. Administrator’s Report ..... Judge Mary T. Noonan
4. 12:50 p.m. Reports: Management Committee ..... Chief Justice Matthew B. Durrant  
Liaison Committee ..... Justice Thomas Lee  
Policy & Planning Committee ..... Judge Derek Pullan  
Bar Commission..... Rob Rice, esq.  
(Tab 2 – Information)
5. 1:00 p.m. Budget Update ..... Judge Mary T. Noonan  
(Information)
6. 1:10 p.m. Board of District Court Judges Report..... Judge Sam Chiara  
(Information) Shane Bahr
7. 1:25 p.m. West Valley Justice Court Mental Health Court and Davis County  
Dependency Drug Court Update..... Judge Dennis Fuchs  
(Tab 3 – Action)
8. 1:35 p.m. Review of Problem-Solving Courts Certifications ..... Judge Dennis Fuchs  
(Tab 4 – Information)
9. 2:05 p.m. Legislative Update ..... Cathy Dupont  
(Information) Michael Drechsel
10. 2:15 p.m. TCE Report ..... Travis Erickson  
(Tab 5 – Information) Joyce Pace

- |     |           |  |                                    |
|-----|-----------|--|------------------------------------|
|     | 2:30 p.m. | Break                                  |                                    |
| 11. | 2:40 p.m. | Fifth District Report.....             | Judge Jeffrey Wilcox<br>Joyce Pace |
| 12. | 2:55 p.m. | Utah State Bar Welcome and Report..... | Dickson Burton<br>Herm Olsen       |
| 13. | 3:05 p.m. | Old Business/New Business .....        | Judge Mary T. Noonan               |
| 14. | 3:15 p.m. | Executive Session                      |                                    |
| 15. | 4:00 p.m. | Adjourn                                |                                    |

Please note, for those flying to Salt Lake City the flight leaves at 6:25 p.m. The Fifth District Court will provide transportation from the hotel to the airport, leaving at 5:30 p.m. Please meet in the lobby after the meeting.

### **Consent Calendar**

The consent calendar items in this section are approved without discussion if no objection has been raised with the Administrative Office of the Courts or with a Judicial Council member by the scheduled Judicial Council meeting or with the Chair of the Judicial Council during the scheduled Judicial Council meeting.

# Tab 1



# JUDICIAL COUNCIL MEETING

**Minutes**  
**February 25, 2019**  
**Matheson Courthouse**  
**Council Room**  
**450 S. State St.**  
**Salt Lake City, Utah 84111**  
**9:00 a.m. – 12:00 p.m.**

*Chief Justice Matthew B. Durrant, Presiding*

**Attendees:**

Chief Justice Matthew B. Durrant, Chair  
 Hon. Kate Appleby, Vice Chair  
 Hon. Augustus Chin  
 Hon. Ryan Evershed  
 Hon. Paul Farr  
 Justice Thomas Lee  
 Hon. David Marx  
 Hon. Mark May  
 Hon. Kara Pettit  
 Hon. Derek Pullan  
 Hon. Todd Shaughnessy  
 Hon. John Walton  
 Rob Rice, esq.

**Staff:**

Hon. Mary T. Noonan  
 Ray Wahl  
 Kim Allard  
 Heidi Anderson  
 Shane Bahr  
 Cathy Dupont  
 Brent Johnson  
 Kara Mann  
 Jim Peters  
 Neira Siaperas  
 Karl Sweeney  
 Jeni Wood

**Excused:**

Hon. Kevin Allen

**Guests:**

Hon. James Brady, Fourth District  
 Michelle Draper, ASL Interpreter  
 Mark Urry, Fourth District TCE

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

Chief Justice Matthew B. Durrant welcomed everyone to the meeting.

Judge Derek Pullan recommended adding to section 14 of the January 28, 2019 minutes that Judge Kara Pettit expressed concerns that some courts designated for approval may not have met all of the requirements. Judge Pullan requested Judge Dennis Fuchs report to the Council's next meeting that all courts have met the requirements. Judge Mary Noonan will speak with Judge Fuchs regarding this.

**Motion:** Judge Kate Appleby moved to approve the Judicial Council minutes from the January 28, 2019 meeting, as amended. Judge Todd Shaughnessy seconded the motion, and it passed unanimously.

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

Chief Justice Durrant appreciated meeting with President Adams and both parties.

**3. ADMINISTRATOR'S REPORT: (Judge Mary T. Noonan)**

Judge Mary Noonan stated that Judge Kevin Allen, Judge Katie Bernards-Goodman, and Commissioner Thomas Patton have announced their retirements. Interviews of the five finalist for the State Court Administrator position are scheduled for today and tomorrow. The court received over 100 applications, however, only 11 met minimum qualifications. Judge Kara Pettit said district court judges would like to be involved with the hiring-decision. The finalists will meet with AOC management staff and others. Justice Thomas Lee questioned why there were not more qualified applicants. Ray Wahl noted the National Center for State Courts (NCSC) recruitment team said compensation is not an issue. When court managers in other states are in a vested retirement system. Many cannot afford to leave that state for other employment.

The Human Resources Policy review was discussed. Rob Rice said he is more than happy to help. Mr. Wahl said the NCSC has a listserv of HR Directors that may provide examples of other court system's HR policies. After further discussion, Judge Pullan will meet with Judge Noonan to create a plan for the review of all Human Resources Policies.

**4. COMMITTEE REPORTS:**

**Management Committee Report:**

The work of this committee is reflected in the minutes.

**Liaison Committee Report:**

Justice Thomas Lee will send out an email reminding judges about rules and processes on contact with legislators. The committee will meet after the session to create a more formalized process in the future.

**Policy and Planning Committee Report:**

Judge Derek Pullan reported that Policy & Planning did not meet in February.

**Bar Commission Report:**

Rob Rice said the Bar Commission did not meet in February. The Bar continues to monitor proposed legislation. President Dickson Burton thanked Chief Justice Durrant and the Judicial Council for holding the March Council meeting in St. George in conjunction with the Bar Spring Convention. Attorneys have expressed their appreciation for the Chief, Council, and judge's participation in the Bar conventions.

**5. FOURTH DISTRICT COMMISSIONER REQUEST: (Judge James Brady and Mark Urry)**

Chief Justice Durrant welcomed Judge James Brady and Mark Urry. Judge Brady noted the Fourth District has 2 commissioners – one shared between district and juvenile and one that does exclusively district court work. Commissioner Patton announced his resignation for August 1. There were more than 3,600 domestic case filings in FY18. Commissioner Patton's caseload is 672.

Judge James Brady noted with the announcement of Commissioner Patton's retirement, the Fourth District will need to begin the process to fill that position.

Chief Justice thanked Judge Brady and Mr. Urry.

**Motion:** Judge Shaughnessy moved to approve filling the Fourth District commissioner position. Judge Appleby seconded the motion, and it passed unanimously.

**6. ETHICS ADVISORY COMMITTEE REPORT: (Judge Michele Christiansen Forster and Brent Johnson)**

Chief Justice Durrant welcomed Brent Johnson. Mr. Johnson noted Judge Christiansen Forster was unable to attend. The committee just completed an opinion request that will soon be posted on the courts website. The committee only meets when an opinion is requested or when they review the Code. Mr. Johnson reviewed the committee members list.

Chief Justice Durrant thanked Mr. Johnson.

**Motion:** Judge Shaughnessy moved to approve the continuance of the Ethics Advisory Committee for an additional six years. Judge Appleby seconded the motion, and it passed unanimously.

**7. LANGUAGE ACCESS COMMITTEE REPORT: (Michelle Draper and Kara Mann)**

Chief Justice Durrant welcomed Michelle Draper and Kara Mann. Ms. Draper reviewed the committee memberships and projects they have completed, including a new English written exam policy, an interpreter survey, proposed revisions to CJA Rule 3-306.01-05 and HR Policy 570 – Second Language Stipend. Ms. Mann reviewed the committee's goals, including a mock trial. Judge Shaughnessy said he appreciates the work of the program coordinators when finding rare languages. Regarding the monitoring of interpreters in the courtroom, Ms. Mann noted certified interpreters must maintain CLE hours, however, monitoring the court hearings involving interpreters are not typically done. Ms. Draper said the committee has a grievance policy in place. Mr. Wahl commended Ms. Mann on her ability to maintain a difficult program.

**Total spoken language usage:**

- 5,512 District courts
- 3,939 Juvenile courts
- 6,743 Justice courts

**Spoken language usage by district:**

- 731 First district
- 2,161 Second District
- 7,985 Third District
- 3,884 Fourth District
- 846 Fifth District
- 190 Sixth District
- 104 Seventh District
- 83 Eighth District

Total sign language usage:

- 56 District courts
- 118 Juvenile courts
- 93 Justice courts

Sign language usage by district:

- 13 First district
- 50 Second District
- 103 Third District
- 80 Fourth District
- 20 Fifth District
- 0 Sixth District
- 0 Seventh District
- 1 Eighth District

Chief Justice Durrant thanked Ms. Draper and Ms. Mann for their impressive report.

**8. STATE AUDIT UPDATE: (Karl Sweeney, Kim Allard, and Heidi Anderson)**

Chief Justice Durrant welcomed Karl Sweeney, Kim Allard, and Heidi Anderson. Ms. Allard said the state review audit is looking at the chain of evidence in accordance with CJA Rule 4-206. Ms. Anderson said the second part of the audit is IT network, CORIS, and jury payments. Courts will soon require stronger passwords and will put VPN through terminal servers. Mobile devices should not attach to courts internet without ensuring proper protection. Judge Noonan thanked Ms. Anderson for keeping the courts informed of changes. Mr. Sweeney noted jury witness system and its operation will also be tested.

Chief Justice Durrant thanked Mr. Sweeney, Ms. Allard, and Ms. Anderson.

**9. LEGISLATIVE UPDATE: (Cathy Dupont and Michael Drechsel)**

Cathy Dupont stated the 2019 legislative session began on January 28 and will conclude on March 14. The courts are tracking 200 bills, 313 fiscal impact reviews, and 28 bills with court-reported fiscal impact. Ms. Dupont reviewed the priority bills for the courts. The request for Third District Court judges and staff is in position 13 and was reduced from 4 judges and staff to 2 judges and staff. The Judicial Assistants salary increase is number 34 on list.

There are three important legislative efforts that are underway.

1. Bail Bond Amendments (Rep. Lisonbee). This legislation is the result of negotiations with members of the bail industry at the specific direction of legislative leadership. The bill clarifies the circumstances under which a judge or magistrate can limit the specific method of posting bail.

2. Clean Slate Expungement (Rep. Hutchings). This legislation would result in a large percentage of misdemeanor and infraction cases, including traffic cases, being automatically expunged after certain eligibility requirements are met. This legislation will have significant fiscal impact on the courts in its current form. We are working to address those concerns before the bill is numbered.

3. Judiciary Housekeeping Bill (Sen. Hillyard). This legislation makes minor revisions to six statutes of importance to the courts:

- **Utah Code § 77-18-1. Suspension of sentence -- Pleas held in abeyance -- Probation -Supervision -- Presentence investigation -- Standards -- Confidentiality -- Terms and conditions -- Termination, revocation,**



- modification, or extension -- Hearings -- Electronic monitoring.** Removes three words in subsection (12)(b)(i) (“the court that authorized probation shall . . . “)
- **Utah Code § 77-30-25. Individual brought into state on extradition exempt from civil process --Waiver of extradition proceedings -- Nonwaiver by this state.** Removes obsolete language requiring that a copy of consent of waiver of extradition be sent to Governor’s office.
  - **Utah Code § 78A-3-101. Number of justices -- Terms -- Chief justice and associate chief justice -- Selection and functions.** Removes term limit for Associate Chief Justice.
  - **Utah Code § 78A-7-203. Term of office for justice court judge -- Retention -- Reduction in force.** Removes obsolete phase in language regarding JPEC evaluation of full-time justice court judges.
  - **Utah Code § 78A-7-205. Required training -- Expenses -- Failure to attend.** Removes “each calendar year” from justice court judge continuing education (court doesn’t use calendar year to track training).
  - **Utah Code § 78B-7-106. Protective orders -- Ex parte protective orders -- Modification of orders -- Service of process -- Duties of the court.** Addresses a renumbering issue that was introduced into the code as a result of HB160 and SB27 last session. This renumbering issue resulted in making possession of a firearm in violation of a protective order a civil, as opposed to a criminal, violation of the protective order.

Chief Justice Durrant thanked Ms. Dupont for her continued dedication to the legislative session. Ms. Dupont said Michael Drechsel has done a great job. Ms. Dupont will address the possibility of a team-approach for next year’s session at the post-legislative meetings.

#### **10. NCSC SYSTEM REVIEW: (Judge Mary T. Noonan, Judge Kate Appleby, Judge Todd Shaughnessy, and Neira Siaperas)**

Judge Noonan next addressed the two-step NCSC system review. The NCSC consultants visited Utah Courts and interviewed approximately 50 individuals over the course of 3 days last week. Judge Noonan will present a final report to the Council, once complete. Judge Noonan noted the willingness to participate and energy level of interviewees was commendable. This is the first time the consultants have been requested to review an entire court structure. Judge Appleby reminded the Council there will be a more intensive review completed at a later date. Justice Lee noted this opportunity may result in greater demands of Council members. Chief Justice Durrant was pleased with the review and noted this is a great opportunity to embrace change.

#### **11 EXECUTIVE SESSION**

There was no executive session held.

#### **12. CONSENT CALENDAR ITEMS**

**a) Forms Committee Forms.** Forms: Motion to Grant Divorce and Decide Other Issues Later (Bifurcate Divorce); Order on Motion to Grant Divorce and Decide Other Issues Later (Bifurcate Divorce); Notice to Defendant of Disclosure Requirements in Unlawful Detainer

Actions; Notice of Disclosure Requirements in Domestic Cases; Financial Declaration; Certificate of Service of Financial Declaration. Approved without comment.

**b) Committee Appointments.**

- Uniform Fine and Bail Committee appointment of Judge David Hamilton as Chair. Approved without comment.
- Self-Represented Parties Committee appointment of Janet Thorpe. Approved without comment.

**13. ADJOURN**

The meeting adjourned.

# Tab 2



# JUDICIAL COUNCIL MANAGEMENT COMMITTEE

**Minutes**  
**February 25, 2019**  
**Council Room**  
**Matheson Courthouse**  
**450 South State Street**  
**Salt Lake City, Utah 84111**  
**12:00 p.m. – 2:00 p.m.**

*Chief Justice Matthew B. Durrant, Presiding*

**Members Present:**

Chief Justice Matthew B. Durrant, Chair  
Hon. Kate Appleby, Vice Chair  
Hon. David Marx  
Hon. Todd Shaughnessy

**Excused:**

**Staff Present:**

Hon. Mary T. Noonan  
Ray Wahl  
Shane Bahr  
Cathy Dupont  
Jim Peters  
Neira Siaperas  
Jeni Wood

**Guests:**

Judge David Connors, Second District, by phone  
Larry Webster, Second District TCE, by phone

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

Chief Justice Matthew Durrant welcomed everyone to the meeting.

After reviewing the minutes, the following motion was made:

**Motion:** Judge Kate Appleby moved to approve the February 19, 2019 Management Committee meeting minutes as presented. Judge Todd Shaughnessy seconded the motion, and it passed unanimously.

**2. SECOND DISTRICT COURT SENIOR JUDGE REQUEST: (Judge David Connors)**

Judge Connors addressed his request for an active senior judge to cover a large and complex case. Judge Connors noted Judge Michael Allphin was assigned this case prior to his retirement and has agreed to continue with the case until its completion. The case concerns a landslide in North Salt Lake that is consolidated from five cases with several plaintiffs, 12 corporate defendants, six individual defendants, several Doe defendants, 12 law firms with approximately 27 attorneys, seven complaints, and numerous claims/cross claims; and

third/fourth party claims. Judge Connors expects 20-30 days of senior judge usage. Ray Wahl reviewed the requirements in CJA Rule 3-104.

After further discussion, Judge Connors will provide Judge Noonan with additional information within approximately one week. Judge Noonan will email the committee the information for a decision to be made.

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

Chief Justice Durrant addressed the proposed agenda for the March 8, 2019 Judicial Council meeting. An addition was requested to add Review of Problem-Solving Courts Certifications to the agenda.

**Motion:** Judge Shaughnessy moved to approve the Judicial Council agenda, as amended, to include Review of Problem-Solving Courts Certifications and Old Business/New Business. Judge David Marx seconded the motion, and it passed unanimously.

**4. EXECUTIVE SESSION**

An executive session was not held.

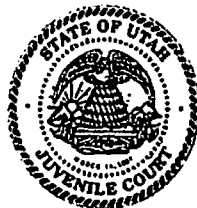
**5. ADJOURN**

The meeting adjourned.

# Tab 3







## Second District Juvenile Court

Department of Court Services

February 11, 2019

Judge Dennis Fuchs  
450 South State Street  
PO Box 140241  
Salt Lake City, UT 84114-0241

Dear Judge Fuchs,

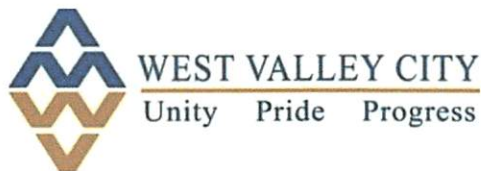
I received your letter indicating that our Davis County Dependency Drug Court has been conditionally certified due to the understanding that we are unable to conduct drug tests for our participants on weekends and holidays. Happily I am able to report that we are able to conduct random drug testing seven days a week, 365 days a year. We currently have this ability and have been able to provide this service for the past several years. It appears there has been a misunderstanding regarding this issue.

I am hoping the Judicial Council will reconsider our conditional certification and certify our problem solving court based on our compliance with the required and presumptive best practices.

Thank you for your attention in this matter and please feel free to contact me with any questions or concerns.

Respectfully,

Robert G. Neill  
Juvenile Court Judge  
Second Judicial District



West Valley City Justice Court  
3590 South Constitution Boulevard  
West Valley City, UT 84119  
Phone: 801-963-3590  
Fax: 801-955-3652

Utah Judicial Council  
**Attn: Judge Dennis Fuchs**  
450 South State  
P.O. Box 140241  
Salt Lake City, UT 84114-0241

20 February 2019

**RE: West Valley City Mental Health Court stakeholder change from Valley Behavioral Health to Volunteers of America (Cornerstone).**

Judge Fuchs:

I appreciate you contacting me about the concern of the Judicial Council with respect to Valley Behavioral Health ("VBH") deciding they could no longer provide a point of contact for our staffing meetings and court hearings. While we understood their position, we were caught off-guard in November of 2018 when we were approached by VBH informing us they were withdrawing the support they had been providing us up until that point. The issue for them was caseloads.

While there are many people who clamor to have the opportunity to take part in problem-solving courts at the District Court level, we have noticed that many, potential, misdemeanor Mental Health Court candidates prefer to opt-out of the rigors of Mental Health Court (multiple court hearings, intensive supervision, etc.) at our level.

The kinds of sentences a defendant in our court might face pales in comparison to those faced in District Court, removing a primary incentive for participation. Additionally, if a Mental Health Court client commits a new felony drug offense, for example, while participating in our program, we will often lose that client to the District Court's problem-solving court once the new case is filed. Due to the above-mentioned reasons and others, the attrition rate for clients participating in our Mental Health Court has been greater than what was anticipated.

We understood VBH's decision to withdraw their support was made due to the limited caseloads our court has been able to maintain. Initially, they assured us that they would continue to provide us weekly (paper) updates for each mental health court client receiving services with them. However, over the course of four weeks, we noticed the reports they were providing were not up-to-date (they were coming every-other-week) and the level of communication we were receiving from them was not meeting our staffing needs.

In December 2018, we began contacting other treatment providers about the possibility of replacing VBH as our treatment stakeholder.

Luckily for us, Volunteers of America ("Cornerstone") was willing to meet with us and commit to providing treatment services and an organizational representative for our staffing meetings and court hearings. We began the transition from VBH to Cornerstone in January 2019.

We met with representatives from VBH to discuss and implement the transition and it has been a relatively smooth process. VBH agreed to be a source of treatment services for any Mental Health Court client who has ongoing conflicts with other clients already receiving treatment at Cornerstone. Additionally, they offered to be a source for residential treatment for any Mental Health Court clients needing those services. We value our previous relationship with VBH and appreciate having that kind of resource, if needed.

Since the transition, the level of communication and quality of the updates we are receiving from Cornerstone has dramatically improved our effectiveness as a Mental Health Court staff. We are, again, able to efficiently respond to the dynamic needs of the clients involved with our court.

I hope this update satisfies any concerns of the Judicial Council. Please contact me if you believe there is additional information I can provide for your deliberation of the certification process.



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Clint T. Gilmore  
Justice Court Judge  
West Valley City, Utah



# Tab 4



**JUDICIAL COUNCIL MEMO**

I requested to go back over the Adult Drug Court Checklists that were presented at the January council meeting and reference the Best Practice requirements that were marked as non-compliance.

**Moab, Judge Manley:**

Drug Court regularly monitors completion rates of historically disadvantaged groups. (This is no longer a required best practice)

Clients are placed in program within 50 days of arrest. (This is no longer a required best practice)

Clients are not required to seek employment in the early phases of the program. (DCFS adds the condition of work to the family unification plan. Even if the court did not impose DCFS would.)

**Manti, Judge Keisel:**

Monitors historically disadvantaged groups. (See above)

**Castle Dale, Judge Thomas:**

None

**Kanab, Judge Lee:**

None

**Price, Judge Harmond:**

Monitors historically disadvantaged groups. (See above)

**Park City, Corum:**

Monitors historically disadvantaged groups. (See above)

**Monticello, Judge Torgenson:**

Monitors historically disadvantaged groups. (See above)

Skilled and independent evaluator. (Me)

Remedial action plan. (Based on my assessment)

March 1, 2019

Judge Fuchs,

This letter is in reference to Third District Juvenile Court's Family Dependency Drug Court and the certification requirement to provide random, seven days a week, including weekends and holidays, drug testing for all participants. I am pleased to inform you that, as of February 25, 2019, this best practice standard is now being met for Family Dependency Drug Court participants in all levels of treatment.

Third District Juvenile Court's Family Dependency Drug Court treatment providers will be providing random, seven days a week, including weekends and holiday drug testing for participants receiving services at all levels of treatment (Residential, Day Treatment, Intensive Outpatient, Standard Outpatient and Aftercare). The treatment provider network includes House of Hope, Odyssey House, First Step House and Valley Behavioral Health.

The change will not affect or impede the participant's treatment progress and the parent will incur no costs. Funding for the additional drug testing has been authorized to be paid through Third District Juvenile Court's contract with Salt Lake Behavioral Health.

Please let me know if you have any questions or would like additional information.

Thank you,

Melissa Sanchez  
Third District Juvenile Court  
Specialty Court's Program Coordinator





Senior Judge Dennis Fuchs &lt;dfuchs@utcourts.gov&gt;

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**FDDC Certification**

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**Kay Allen** <kaya@utcourts.gov>

Fri, Mar 1, 2019 at 11:50 AM

To: Judge Brent Bartholomew &lt;bbartholomew@utcourts.gov&gt;

Cc: "Judge F. Richards Smith" &lt;frsmith@utcourts.gov&gt;, Judge Mary Noonan &lt;mnoonan@utcourts.gov&gt;, Senior Judge Dennis Fuchs &lt;dfuchs@utcourts.gov&gt;

Utah County is starting seven day testing this weekend. Richard Nance has prepared a response to your letter that I was told was sent to Judge Smith this week to be forwarded on to you. The County is also in talks with STEPS recovery to make sure they come into compliance as well. Going forward, any client who attends treatment at a facility who does not do seven day testing will either have to find different treatment or they can not participate in drug court.

Let me know if you have any further questions.

On Fri, Mar 1, 2019 at 11:10 AM Judge Brent Bartholomew <bbartholomew@utcourts.gov> wrote:

[Quoted text hidden]

--

Kay L. Allen

Probation Officer and Family Drug Court Coordinator

4th District Juvenile Court

801-354-7220

kaya@utcourts.gov



Senior Judge Dennis Fuchs &lt;dfuchs@utcourts.gov&gt;

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**FDDC Certification**

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**Judge Mary Manley** <mmanley@utcourts.gov>  
To: Senior Judge Dennis Fuchs <dfuchs@utcourts.gov>

Fri, Mar 1, 2019 at 11:04 AM

Hello Judge,

I was going to email you today as a matter of fact. I meet on Wednesday with our local mental health authority director and the regional director for DCFS. Ms. Dolan, the director for Four Corners Behavioral Health, is going to draft a formal letter to you. I will ask her to provide that to you prior to the next Council meeting. Bottom line is we have agreed to, and will have, seven day a week testing for our dependency court in compliance with the certification requirements. The talks with DCFS and mental health as to how to merge testing will continue, but for the time being, we will have testing through DCFS's contract M-F and weekend and holiday testing through our mental health authority. . There are still some logistics to work out, such as Four Corner's IT person adding participants into their call-in system and coordination of the two testing facilities for purposes of random testing, but I am confident that 7 day testing will be the standard. I anticipate this to be fully operational within the next couple of weeks and well ahead of the 90 day deadline.

Thank you.

[Quoted text hidden]

# Tab 5





# Annual Trial Court Executive Report to the Judicial Council

March 8, 2019

St. George

## District Court Update

### **Probable Cause / Public Safety Assessments**

- ✓ Washington & Wasatch continue to work diligently to enhance system use
  - All other counties monitor use and troubleshoot as needed
  - Our thanks to Judges and AOC staff for their partnership

## Juvenile Court Update

- ✓ **Tangible incentives for probationers** – Statewide training is currently ongoing
- ✓ **Massachusetts Youth Screening Instrument (MAYSI-2)** – Fifty two questions designed to assess the mental health needs of juveniles
- ✓ **Access to Department of Human Services (DHS) contracted treatment interventions**
- ✓ **Acting as a resource for schools as they develop interventions for truancy and minor delinquency matters.**

## Summary of Statewide Employee Survey Results:

- ✓ Responses are itemized to include or exclude management responses.
- ✓ The data in the following chart are the areas for which the Statewide Staff (not including management responses) demonstrate a negative trend.
  - in the case of the green line indicating Morale, it is included primarily because most other areas on the survey exceed the 3.0 response rank.

