

**JUDICIAL COUNCIL  
AGENDA**

**March 6, 1997**

Holiday Inn  
850 Bluff Street  
St. George, Utah 84770  
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*Chief Justice Michael D. Zimmerman, Presiding*

<b><u>Item:</u></b>	<b><u>Time:</u></b>	<b><u>Subject:</u></b>	<b><u>Presenter:</u></b>
1.	12:30 p.m.	Lunch	
2.	1:00 p.m.	Welcome/Approval of Minutes . . . . . (Tab 1 - February 19, 1997)	Chief Justice Zimmerman
<b>Continuing Business:</b>			
3.	1:05 p.m.	Report from Chair . . . . .	Chief Justice Zimmerman
4.	1:10 p.m.	Judicial Council Sub-Committee . . . . Reports (Tab 2)	Hon. Pamela T. Greenwood Management Committee Hon. Michael K. Burton Policy and Planning Committee Hon. Rodney Page Liaison Committee
5.	1:20 p.m.	Judicial Education Committee Update . . . . . (Tab 3)(Information)	Hon. Regnal Garff
6.	1:40 p.m.	New Justice Court Application . . . . . Town of Leeds (Tab 4)(Action)	Patrick J. Franks Chief Elvin Vraman
7.	2:00 p.m.	Court Executives' Update . . . . . (Information)	Paul W. Sheffield
8.	2:10 p.m.	Judicial Conduct Commission Update . . . . . (Information)	Steven Stewart Executive Director

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|-----|-----------|---|
| 9.  | 2:25 p.m. | Eighth District Update on Drug Court Grant . . . Hon. Lynn Payne<br>(Information)   |
| 10. | 2:35 p.m. | District Board Update . . . . . Hon. Lynn W. Davis<br>(Information)   |
| 11. | 2:50 p.m. | Break   |
| 12. | 3:00 p.m. | Amendment of Judicial Nominating . . . . . Timothy Shea<br>Commission Manual<br>(Tab 5)(Action)   |
| 13. | 3:10 p.m. | Legislative Update/Budget . . . . . Daniel J. Becker<br>Legislation . . . . . D. Mark Jones<br>Richard H. Schwermer<br>FY98 Capital Facilities Update . . . . . Gordon Bissegger<br>(Tab 6) |
| 14. | 5:00 p.m. | Executive Session . . . . . Chief Justice Zimmerman   |

**Information:**

News Articles  
(Tab 7)

**Consent Calendar:  
(tab 8)**

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

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|----|--|
| 1. | Certification of Salt Lake County Justice Court Judge . . . . . Richard H. Schwermer<br>(Kim Thomas Adamson) |
| 2. | Removal of Rule 10-1-201 . . . . . Peggy Gentles   |

3. Court Interpreter Advisory Panel ..... Holly Bullen  
Judge Lynn Davis, District Judge  
Judge Diane Wilkins, Juvenile Court Judge  
Judge David Miller, Justice Court Judge  
Larry Gobelman, Court Executive  
Joanne McKee, Clerk of Court  
Carolyn Smitherman, Interpreter Coordinator  
Grant Anderson, Certified Interpreter  
James Valdez, Attorney  
Professor Mauricio Mixco, Linguistic Expert

**Next Judicial Council Meeting:**

April 28, 1997  
Administrative Office of the Courts  
230 South 500 East, Suite 300  
Salt Lake City, Utah

## JUDICIAL COUNCIL MINUTES

February 19, 1997

Administrative Office of the Courts  
230 South 500 East  
Salt Lake City, Utah 84102  
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### Members Present:

Chief Justice Michael D. Zimmerman  
Hon. Pamela T. Greenwood  
Hon. Joseph Jackson  
Hon. Anne Stirba  
Hon. Robert Braithwaite  
Hon. Michael Burton  
Hon. Anthony Schofield  
Hon. Rodney Page  
Hon. Stephen Van Dyke  
Hon. Jerald Jensen  
James Jenkins, Esq.  
Hon. Kent Nielsen  
Hon. Leonard H. Russon  
Hon. John L. Sandberg

### Staff Present:

Daniel J. Becker  
Myron K. March  
Richard H. Schwermer  
Timothy Shea  
D. Mark Jones  
Brent Johnson  
Peggy Gentles  
Cindy Williamson

### Guests Present:

Sheila McCann, Salt Lake City Tribune  
Hon. Dennis Fuchs  
Hon. Gary Stott  
Hon. Joseph Fratto

### Welcome/Approval of Minutes:

The following changes were made to the minutes of January 27, 1997:

Page 2, paragraph 2, second sentence will read: There are two senior judges who need to be reappointed or appointed initially: Judge Raymond Uno, and Judge Regnal Garff.

Page 4, paragraph 3, last sentence will read: The Council supports the idea.

Page 5, paragraph 5 will read: Mr. Becker announced Marilyn Branch's presence today at

the Council meeting as Appellate Court Administrator. Geoffrey Butler, Clerk of the Supreme Court, will retire on March 31, 1997. There is currently a restructuring effort within the administrative support structure of Supreme Court and Court of Appeals. Part of the process will involve modifying the position of the Clerk of the Supreme Court and Court of Appeals. This is consistent with the co-location of the courts in the Scott M. Matheson Courthouse.

Pages 5 & 6, **Report of the Ad Hoc Task Force on Video Recording in the Courtroom:** will read as follows:

Hon. Ronald E. Nehring was present to introduce the recommendations of the Ad Hoc Task Force on Video Recording in the Courtroom. Judge Nehring commended Tim Shea for the artful manner in which he has reconciled rules to make accommodations for contemplated changes.

Since the previous task force report was presented, the task force has learned of the contemplated presence of the overflow room in the Scott M. Matheson Courthouse. The task force was asked to create ground rules for a proposed pilot project which would accommodate possible recordings of courtroom proceedings in the overflow room by the media. This pilot project would go beyond what the task force's rule changes contemplate. Under the proposed rule, the authority to make copies of proceedings that are transmitted to the overflow room is vested in both the trial judge and the presiding judge.

Chief Justice Zimmerman questioned whether or not the Judicial Council should develop a uniform policy for a pilot program. This is not a single issue which is limited to the Scott M. Matheson Courthouse but rather a statewide issue. Standardized policies would hopefully eliminate unnecessary, additional pressure on trial court judges.

The proposed rules have been presented to various boards. However, the rules have not been presented in the amended form. Judge Nehring concluded that the District Court Board is comfortable that video recordings are public record and should be disseminated. The Board of District Court judges however, has not addressed the pilot program issue.

Mr. Shea requested the Judicial Council consider approving these rule changes. However, if approved, these rules could not be effective until consideration of the Code of Judicial Conduct by the Supreme Court.

Page 7, second paragraph will read as follows:

**Motion:** A motion was made by Judge Van Dyke to amend the Code of Judicial Administration, to delete Castle Dale as a secondary site. The motion was seconded by Judge Jackson and carried unanimously.

**Motion:**

A motion was made by Justice Russon to approve the minutes as amended. The motion was seconded by Judge Stirba. The motion carried unanimously.

**Policy and Planning Committee Report:**

Judge Burton indicated the minutes of the Policy and Planning Committee are reflective of the last meeting.

The Policy and Planning Committee was charged with developing a process to evaluate justice court issues. However, since that time, a recommendation has been made to form a task force of the Council to consider the same issues. Judge Burton requested guidance from the Council as to whether or not the Policy and Planning Committee should proceed, with a study of these issues or defer to the task force.

**Motion:**

A motion was made by Judge Burton to suspend any further study by the Policy and Planning Committee in the development of recommendations for the justice courts. The motion was seconded by Judge Jackson and carried unanimously.

Next, Judge Burton addressed the question of whether judges should be allowed more discretion with their \$400.00 yearly allotment of educational funds. Currently, the \$400.00 can be utilized in full for bar conferences or split with \$200.00 being used for publications and \$200.00 for bar conferences. The Policy and Planning Committee recommends maintenance of the status quo.

**Motion:**

A motion was made by Judge Burton to maintain the current policy for use of the \$400.00. The motion was seconded by Judge Van Dyke. The motion carried unanimously.

**State Court Administrator's Report:**Legislation/Budget:

It was reported that the Appropriation subcommittee which considers budgets of the courts, public safety, corrections, and elected officials was given an amount of \$13 million less than the combined base budgets of those agencies. The subcommittee was instructed to concentrate on reduction of base budgets rather than expansion of building blocks.

This budget process eliminated any meaningful forum for discussion of Judicial Council

budget priorities. Therefore, Dan Becker, Mark Jones and Richard Schwermer have met individually with members of the court's subcommittee to discuss the Council's recommendations as well as recommendations by the Governor.

The Legislative Fiscal Analyst included \$1 million in the base budget for Operations & Maintenance (OM), \$2 million for probation officers and \$3 million for juvenile court state supervision program. The only other budget increase was to the Guardian Ad Litem Program of \$100,000 in ongoing and \$96,000 in dedicated credits.

The Legislative Fiscal Analyst recommended and the subcommittee approved reductions to the court's budget in ten separate areas. The analyst's two most significant recommended reductions are \$271,500 from Education and \$426,000 from Data Processing, both of these reductions were added to a list to be considered for restoration if additional funds are made available. The subcommittee approved intent language for non lapsing funds and approved intent language for a justice court study.

The executive appropriation subcommittee will meet again and consider supplemental requests. The court's only supplemental request is that of jury/ witness fees in the amount of \$658,000.

Revised revenue estimates suggest that an estimated \$25 million may be made available, \$11 million of which is one time money. The Appropriation subcommittee's top priority is to pay for jail reimbursements and jail contracting to counties. Another large budget item is restoration of money to the Youth Corrections Alternative Program.

Decreases in other agencies will affect the courts indirectly. The Utah Dept. of Correction's budget is expected to be reduced significantly which will result in the elimination of funding for their diagnostic center and the preparation of presentence investigation reports on Class B Misdemeanors.

In the court's capital facilities area, there is an allotted amount of \$40,000 for study of a new court site in Vernal and approval of intent language for the purchase of a parking lot in Cedar City.

#### Weighted Caseload:

Dan Becker has requested that judges in the Eighth Judicial District reconsider responses to the Weighted Caseload Study or allow statewide averages to apply to the Eighth District. Due to the unique nature of the Third Judicial District, their Weighted Caseload Study also needs to be readdressed with the possibility of expanding the survey in that district. The Administrative Office is to receive technical assistance from the National Center for State Courts in this area.

### Annual Bar Meeting:

In July the Judicial Council will be meeting with members of the Utah State Bar in Sun Valley, Idaho. Recently, Dan Becker met with John Baldwin, Executive Director of the Utah State Bar, to discuss ways in which Council activities could be more fully integrated into activities of the bar. Suggestions include: a) publishing the Council agenda in the Bar's formal agenda; b) invitations to bar members to attend the Judicial Council meeting; and c) meeting time with section chairs of the Bar. Mr. Baldwin was receptive to these suggestions. Further suggestions for Judicial Council activities include following up on the Council planning session and meetings of the Council's subcommittees.

### Project for 1997:

Mr. Becker reviewed with the Council a list of projects which have already been committed to for 1997, they include: the Racial and Ethnic Fairness Study, Jury Improvement Project, Justice Court Study, Implementation of the Juvenile Sentencing Matrix, Debt Collections Study, Judicial Performance Evaluation, Jury Survey, Weighted Caseload Study, Presiding Judges' Workshop and the move into the Scott M. Matheson Courthouse.

### Personnel:

Dan Becker recently met with the Board of Juvenile Court Judges and informed them that he, Judge Lindsay and John McNamara have been discussing Mr. McNamara's retirement plans. Mr. McNamara is anticipating retirement within the next year. This retirement will coincide with considerable expansion in the Juvenile Court programs and this is a top-level management position which will have to be carefully considered upon Mr. McNamara's retirement. There will be a workshop to which presiding judges, clerks and other interested individuals will be invited to discuss what qualities should be sought when considering a new juvenile court administrator. Judge Lindsay as the chair, Judge Chamberlain as the chair-elect, and Dan Becker will serve as a screening committee applicants.

### **Report from the Chair:**

Recently, Chief Justice Zimmerman appeared before the Senate Judiciary Committee to discuss a proposed bill which will revise the current Nominating Commission procedures. If the bill passes, it would provide that a larger number of nominees in all districts are sent to the Governor.

### **Introductions of Judge Fratto and Judge Stott:**

Chief Justice Zimmerman welcomed and introduced Judges Fratto and Stott to members of the Judicial Council.

Judge Fratto is the newest judge in the Third Judicial District and Judge Stott is the newest judge in the Fourth Judicial District.

Chief Justice Zimmerman explained that the Judicial Council is the governing body of the Judiciary in Utah which consists of representatives from various court levels. The Council functions as an administrative body whose duties include budget considerations and development of judicial policy.

**Racial and Ethnic Task Force Update:**

Brent Johnson reported that the State Justice Institute (SJI) has agreed to commit a total of \$52,000 in matching funds to the Racial and Ethnic Task Force Study. Currently, the task force is in need of an additional \$4,500 to gain full funding from the institute. It was suggested that the task force make additional applications to the Michael's Foundation and the Utah State Bar Foundation.

Next, Mr. Johnson indicated that the Management Committee had previously approved the proposed membership composition of the task force with one exception. One of the positions will be replaced with a representative from a justice court. In addition to those individuals listed, there will be a representative from the Native American, Pacific Islander, Asian-American and Hispanic communities. There will also be a representative from the Division of Youth Corrections and from Brigham Young University, J. Reuben Clark College of Law .

**Motion:**

A motion was made by Judge Burton that the Judicial Council approve the general membership of the Racial and Ethnic Bias Task Force, that individual names from the newly added areas be brought before the Management Committee for approval. The motion was seconded by Judge Van Dyke and carried unanimously.

There was a discussion regarding the staff selection process and the employment of an executive director.

**Motion:**

A motion was made by Judge Burton that the Council authorize Brent Johnson, John T. Nielsen, Judge Tyrone Medley and Dan Becker to hire an executive director for the Racial and Ethnic Bias Task Force. The motion was seconded by Judge Stirba and carried unanimously.

## **Legislative Update:**

Judge Page, Richard Schwermer and D. Mark Jones provided a Legislative Update for members of the Council. There have been thirty bills addressed by the Liaison Committee since the last meeting. Positions taken on bills include, in part, the following:

- HB91 - Co-habitant abuse bill amendment - opposed
- HB92 - Domestic Violence in Front of a Child - makes it a crime to commit domestic violence in front of a child - no position
- HB293 - Wrongful Lien Amendment - no position
- HB288 - Provides that by stipulation and approval of the court that a defendant charged with a crime may be sentenced to a lesser offense - opposed
- SB64 - Amends child support and gives a broader authority to social services -
- SB121- Requires reporting of Judgments on real property -
- SB197 - Judicial Nominating Commission Bill - opposed

Richard Schwermer addressed SB74, Indigent Defense Provisions, with specificity which promoted discussion among the members of the Council.

## **Motion:**

A motion was made by Judge Stirba that the Council approve the following manner in which to address SB74, Indigent Defense Provision, continue to monitor the fiscal note which may or may not dispose of the bill, and attempt to delete misdemeanor provisions if the bill progresses. The motion was seconded and carried unanimously.

The following bills were also discussed:

- HB 10 - Municipal Authorization for Justice Court
- HB 42 - Juvenile Court Hearings and Records
- HB 43 - County and Municipality Judgeships
- HB 60 - Post Conviction Remedies - Death Penalty
- HB 65 - Driving Under the Influence Amendments
- HB 79- Child Custody and Visitation Amendments
- HB 229 - Domestic Relations Cases - Name Designation
- HB 323 - Court Amendments
- HB 324 - Justice Court Amendments
- HB 326 - Bail Bond Surety Licensing
- SB 89 - Juvenile Judge - Short Term Commitment of Youth
- SB 90 - Juvenile Court Powers
- SB 116 - Extension of Child Visitation Pilot Program
- SB 120 - Amendments to Divorce Requirements

- SB 121 - Recording Judgments of Real Property
- SB 129 - Privileged Information in Civil Actions
- SB 132 - Definition of Law Enforcement Official and Judge
- SB 152 Crime Victims' Rights Amendments
- SB 155 - Court Reporter Amendments
- SB 213 - Court Collections

Appreciation was extended to Judge Page, Richard Schwermer and D. Mark Jones for their extraordinary efforts during the Legislative Session.

### **Drug Court Update:**

Judge Dennis Fuchs reported on the progress of the Third Judicial District Drug Court. The Court was established on June 15, 1996, and has handled 123 individual cases. There are three phases. An individual must pass through one phase successfully before beginning another. Currently, there are 43 persons in phase one, thirty-seven in phase two and nine in phase three. Out of the original one hundred and twenty-three individuals there are twenty-one outstanding bench warrants and thirteen others who have not yet entered their plea.

The Drug Court utilizes a very informal setting with representatives from the District Attorney's Office, Pretrial Services and the Salt Lake Legal Defender's Office present. Prior to every hearing the judge is provided with a current offender status which includes: an up to date urinalysis, record of class attendance, and program status. The program operates primarily on providing sanctions for rule violations, positive feedback for success and is centered on the fact that people are required to take responsibility for their own lives.

The first graduation from the program is anticipated in July or August, 1997. Judge Fuchs indicated that he has received positive feedback from various agencies.

An invitation was extended to members of the Council to visit Drug Court proceedings.

Judge Fuchs was thanked for his presentation to the Judicial Council.

### **Motion:**

A motion was made by Judge Burton to adjourn the meeting. The motion was seconded by Judge Van Dyke. The motion carried unanimously.

**MANAGEMENT COMMITTEE  
MINUTES**

**February 26, 1997**

Administrative Office of the Courts  
230 South 500 East  
Salt Lake City, Utah  
\*\*\*\*\*

**Members Present:**

Hon. Pamela T. Greenwood  
Hon. Joseph Jackson  
Hon. John Sandberg

**Staff Present:**

Daniel J. Becker  
Holly M. Bullen  
Tim Shea  
Mark Jones  
Richard Schwermer  
Brent Johnson

**Members Excused:**

Chief Justice Michael D. Zimmerman  
Hon. Anne Stirba

**Guests:**

Hon. Tyrone Medley

**Welcome:**

Judge Greenwood welcomed members and staff to the meeting.

**Judicial Council Agenda/March 6, 1997:**

The Judicial Council agenda for March 6, 1997, was discussed, changes suggested and implemented.

**Future Agendas:**

Dan Becker presented a proposal for the Judicial Council meeting in Sun Valley, Idaho. The suggestion included that an invitation be extended to all bar members to attend the Council meeting on July 2, 1997, and that a breakfast meeting be held on July 4, 1997, with members of the Council, the President of the Bar, President Elect, and Executive Director. Immediately following the breakfast meeting the Council could have a follow-up meeting to the planning sessions.

### **Motion:**

A motion was made by Judge Jackson to formalize meeting arrangements for Sun Valley. The motion was seconded by Judge Sandberg and carried unanimously.

The Council is scheduled to meet in Vernal on May 19th & 20th. The business meeting will be held on May 19th along with a luncheon to which the local bar, Eighth District Court judges and the court executive will be invited. On May 20th, the judges and court executive will be invited to make presentations to the Council. In addition, there will be site visits to facilities in Vernal, Roosevelt and Duchesne.

Judge Lynn Payne has extended an invitation to all Council members to participate in activities on Sunday afternoon and Monday evening. There was a suggestion that notice of these activities be given to Council members and responses solicited so that Judge Payne can make appropriate arrangements.

### **Legislative Update:**

The Executive Appropriations Sub-Committee passed a resolution which states that all budgets will be considered this afternoon at 5:30 p.m. The areas that the courts are concerned about are education and data processing. Last week the courts gained \$300,000 in one time money for data processing.

The committee deliberated the court's budget February 25, 1997 and adopted all of the recommendations of the subcommittee with one exception. The one which was not adopted was the 4% recommendation for an increase in judicial salaries. All proposed intent language and supplementals were approved.

Richard Schwermer reported on the following: a) approval of the Third District Court judge; b) the Electronic Library was funded at \$93,000; c) Victim Rights and Misdemeanors at a cost of \$12,500; and d) a recommendation was made to fully fund Juvenile Court Senate Bills 89 & 90.

The Dept. of Correction's budget for the Diagnostic Center was reduced. However, the department was not relieved of their responsibility to operate the center.

Senate Bill 213 proposes that for FY98 the Legislature would withhold \$750,000 from the court's budget. The courts could earn that money back by bringing in sufficient fine revenue. Efforts are ongoing to defeat this bill.

The proposed revisions to the Judicial Nominating Commissions would mean that the Judicial Council could no longer promulgate rules for the commissions. Further results of the rule would be that each commission set their own rules, that a nominee would only need four

votes to make it out of the committee and that five or more names could be submitted to the Governor. Revisions are currently being negotiated.

**Meeting Protocol:**

At Judicial Council meetings some presenters have felt that they had not been treated with appropriate respect. A suggestion was made that the Council make a better effort to allow uninterrupted presentations and extend appropriate courtesy to presenters.

**Motion:**

A motion was made by Judge Jackson to recommend to the Council that they make every effort to allow uninterrupted presentations and that every courtesy be extended to presenters. The motion was seconded by Judge Sandberg and carried unanimously.

**Court Interpreter Advisory Panel:**

Rule 3-306 provides that a Court Interpreter Advisory Panel will be appointed by the Judicial Council. Holly Bullen announced the positions, solicited feedback and along with Myron March recommended the following individuals: Judge Lynn Davis, Judge Diane Wilkins, Judge David Miller, Larry Gobelman, Joanne McKee, Carolyn Smitherman, Grant Anderson, James Valdez and Professor Mauricio Mixco.

**Motion:**

A motion was made by Judge Jackson to approve the membership recommendations to the Court Interpreter Advisory Panel and that this matter be placed upon the consent calendar of the Judicial Council. The motion was seconded by Judge Sandberg and carried unanimously.

**Juvenile Appellate Filing Fees:**

There is inconsistent practice in the juvenile court regarding filing fees for appeals. Some courts are charging fees for appeals in delinquency cases, stating that these are civil cases. Some courts are not charging, arguing that even though the cases are civil, they are similar to criminal proceedings.

**Motion:**

A motion was made by Judge Sandberg that the issue of inconsistencies in Juvenile Appellate Filing Fees be referred to the Board of Juvenile Court judges for development of a uniform policy. The motion was seconded by Judge Jackson and carried unanimously.

### **Criminal History Checks:**

Chief Justice Zimmerman received a letter written by Joseph R. Horton, CEO, Primary Children's Hospital, requesting a means by which the court system can perform criminal history checks on employees of Primary Children's Hospital. Tim Shea has investigated the court's ability to execute records research. The courts do not have the ability to do criminal history checks but can search the courts data base. The data base would contain any criminal informations which have been charged. However, searching the entire data base would be very expensive and time consuming and would not include justice court proceedings.

### **Motion:**

A motion was made by Judge Jackson that the Management Committee take the following position: Primary Children's Hospital is entitled to that which is public information, made available through their own time and sources and by Legislation the hospital be added to the list of entities which have automatic rights of retrieval to Bureau of Criminal Identification (BCI). That the courts inform the hospital that the courts maintain the information in a form which can be retrieved. The motion was seconded by Judge Sandberg and carried unanimously.

The Management Committee suggested that Chief Justice Zimmerman respond to Mr. Horton's letter with the foregoing information.

### **Remaining Membership of the Racial and Ethnic Bias Task Force:**

Judge Tyrone Medley proposed that the following individuals be added to the proposed membership of the Racial and Ethnic Bias Task Force: a) Lorena Riffo; b) Haruko Moriyasu; c) Dan Maldonado; d) Donna Land-Maldonado; e) Filia Uipi (Phil); f) Judge Glen Iwasaki; and g) Judge Brent West. Judge Medley also requested that the Management Committee approve two representative from Brigham Young University, J. Reuben Clark, College of Law, to be designated in the near future. It was also agreed to solicit a member from the Board of Justice Court Judges.

### **Motion:**

A motion was made by Judge Jackson to accept Judge Medley's recommendations for membership of the Racial and Ethnic Bias Task Force with notification to the Judicial Council. The motion was seconded by Judge Sandberg and carried unanimously.

### **Adjourn:**

There being no further business, Judge Greenwood adjourned the meeting.

# STANDING COMMITTEE ON JUDICIAL BRANCH EDUCATION

## Report to the Judicial Council, March 6, 1997

### ***Ongoing Conferences and Programs***

*Legislative Update*, April 4, 1997

*Justice Court Judges' Conference*, April 9-11, 1997

*Juvenile Court Judges' Conference*, April 16-18, 1997

*District Court Judges' Conference*, April 30-May 2, 1997

*Appellate Court Judges' Conference*, May 7-9, 1997

*Justice Court Clerks' Conference*, May 15-16, 1997

*Rural Courts Conference*, May 1-2, 1997

*Winter Judicial Institute*, March 13-14, 1997

*Advanced Academy for Probation Officers*, June 1997

*Annual Judicial Conference*, September 10-12, 1997

*Annual Court Employees' Conference*, September 11-12, 1997

*Justice Court Clerks' Conference*, October 1997

*On-going classes*: offered 20 courses for clerks (48 classes total), 18 courses for probation officers (25 classes total), 12 management and computer courses (52 classes total) for a total of 125 classes offered this fiscal year.

### ***Continuous Quality Improvement***

- Needs assessment and program evaluation for probation officers
- Needs assessment and long-term curriculum for justice court clerks
- Needs assessment for judges on computer usage - provided instruction at all court-level conferences last year and instituted on-going computer classes at the AOC
- Developing curriculum for clerks who handle money in the courts, to increase their skills and reduce liability

### ***Faculty Development***

- Sent or will send six judges to *Excellence in Faculty Development* sponsored by the National Council of Juvenile and Family Court Judges. Paid only travel costs to Reno.
- Accepted into the *Leadership Institute in Judicial Education* for this coming year. Will send a team from Utah, and then sponsor a local institute. SJI funded program.
- May send a team of non-judge faculty members to a faculty development program sponsored by the National Council of Juvenile and Family Court Judges. Fully funded by National Council.

### ***Additional Programs and Conferences***

- *National Association of Women Judges' Annual Conference*, held September 1997 in Salt Lake City. Support provided to planning committee by Education Division staff.
- *Genetics and the Courts* regional conference, held 1998 in Salt Lake City. Support provided by Education Division staff to host this conference.
- Sponsored "nuts and bolts" training in domestic violence to 3rd District judges and justice court judges. Will continue this program around the state.

## JUDICIAL BRANCH EDUCATION

### ANALYST'S RECOMMENDATION

The Analyst recommends a continuation budget for this program, but, to meet the funding constraints has reduced the program to half the FY 1997 level.

Funding	FY 1996 Actual	FY 1997 Estimate	FY 1998 Analyst	Difference FY 97/98
General Fund	\$534,900	\$543,100	\$271,550	(\$271,550)
<b>Total</b>	<b>\$534,900</b>	<b>\$543,100</b>	<b>\$271,550</b>	<b>(\$271,550)</b>
% Change	(0.5%)	1.0%	(50.0%)	
FTE	8.45	8.45	8.45*	

\*Staff support for education is 4 FTE's, not the 8.45 shown in the Analyst's report.

### BENEFITS OF EDUCATION

- Continuing education for judges and staff is essential to maintain and improve the *professional competency* of all persons performing judicial and support functions.
- The courts rely on judges as *in-house trainers*. Judges and staff who attend out-of-state and in-state conferences become presenters within the state on that subject.
- Education provides for greater consistency and uniformity across the state and provides a forum for sharing ideas, creating *more efficient policies and programs*.
- Educational programs promote adherence to the highest standards of conduct, promote effective court procedures, *improve the administration of justice*, enhance *public confidence* in the judicial system, and reduce *potential liability* for the state.

### CONCERNS WITH PROPOSED REDUCTIONS

- The reductions jeopardize current statutory and rule requirements for judges and staff, *compromising* our ability to provide the mandated number of education hours.
- Educational programs and conferences that assist judges in acquiring the knowledge, skills, and attitudes required to perform their judicial responsibilities fairly, correctly, and efficiently would have to be *scaled back* considerably. Last year, topics included:

*Gangs in Utah*  
*Child Sexual Abuse*  
*Caselaw Updates*  
*Improving our Jury System*

*Judicial Ethics*  
*Domestic Orders of Protection and Support*  
*Use of Custody and Visitation Evaluations*  
*Permanency Reviews in Juvenile Court*

- Increasing demands* that face the judiciary require additional training. These demands include *Juvenile Justice Task Force recommendations*, increases in juvenile and family violence, and alternative dispute resolution programs. *New judges and probation officers will add significantly to court training requirements.*

- During the past five years, current education resources have absorbed orientation and training costs for fifteen new judges and a number of new probation officers and clerks resulting from new positions and normal turnover. In order to handle this increased demand, the educational program has implemented cost-cutting policies to reduce our costs per employee.

Mayor

Brent K. DeMille

Council Members

Alvin J. Evans

Way A. Krueger

Anne T. Thornton

Charles G. Scott

Planning Commission Chairman

Robert H. Wright

Legal Counsel

Stephen H. Urquhart



218 North Main Street

P. O. Box 460879

Leeds, UT 84746-0879

(801) 879-2447

Fax (801) 879-6905

Manager / Clerk

Patrick J. Franks

Treasurer

Pauline H. Fowlks

Police Chief

Elvin E. Braman

Public Works Director

V. M. Watkins

Fire Chief

Donald J. Fawson

August 21, 1996

State of Utah

Administrative Office of the Courts

230 South Fifth East, Suite 300

Salt Lake City, UT 84102

Dear Administrative Court Commission,

Please accept and consider the enclosed application to establish a Justice Court within the Town Limits of the Town of Leeds. We are presently using Judge Chester Adams services in Toquerville. Judge Adams has expressed the concern that we are sending him to many citations and he feels overwhelmed with the work load we are sending him.

We have read and understand all the operational standards associated with maintaining a Justice Court and feel with the help of our attorney, Stephen H. Urquhart, we will be able to maintain it well.

Once again, we thank you for your considering our application and hope that you look favorably on establishing a Justice Court in the Town of Leeds.

Sincerely yours,

A handwritten signature in cursive script that reads "Patrick J. Franks".

Patrick J. Franks

Manager / Clerk

Enclosures

APPLICATION FOR NEW JUSTICE COURT

Name of Entity: Town of Leeds Corporation

Proposed Court Location: 218 North Main Street

Leeds UT 84746-0879

Anticipated Level of the Court (Circle one):

I

II

III

IV

Anticipated average case filings per month: 30-60

Please attach a map which shows the boundaries of the proposed Court's jurisdiction. (The map should also show all Courts which are located within 25 miles of the location of the Court).

State the population within the jurisdiction of the proposed court according to the most recent figures. 500

List all law enforcement agencies which will be regularly involved in law enforcement within the jurisdiction of the proposed court.

Leeds Police Department  
Washington County Sheriff's Office  
Utah Highway Patrol

If the applicant has a law enforcement department, state the number of sworn law enforcement officers within the department.

2

If the applicant does not have a law enforcement department, identify the law enforcement agency which will provide law enforcement services to the proposed Court.

List all existing Justice Court locations within 25 miles of the proposed Court:

<u>Name of Existing Court</u>	<u>Address</u>	<u>Miles from Location of Proposed Court</u>
<u>Townerville</u>		<u>10</u>
<u>Hurricane</u>		<u>15</u>
<u>Washington</u>		<u>14</u>
<u>St. George</u>		<u>20</u>

For each Court listed above, list the average number of cases filed each month during the most recent calendar year which would have been filed in the proposed Court, had the proposed Court been in operation.

Toguenerville 40-60      St. George 0  
Hurricane 0  
Washington 0

If waiver or extension of any requirement is requested, please specify each requirement and indicate factors which demonstrate a need for the waiver or extension. For any requested extension, please include the time requested. For each requested waiver, please indicate whether or not this application is conditioned upon receiving a waiver. Remember, those items which are statutory are not waivable (Numbers 1-16).

I am familiar with the minimum operational standards for a Justice Court. Enclosed please find a written opinion from our attorney Stephen H. Urquhart, advising the undersigned entity of all requirements for the creation and operation of a Justice Court, and the feasibility of this entity maintaining a Justice Court. Also, please find enclosed a resolution requesting certification for a new Court which resolution affirms that the undersigned entity is willing to meet all requirements for certification (except when the application is conditioned upon receiving a waiver) during the initial term of the proposed Court.

DATED this 5 day of August, 1996.

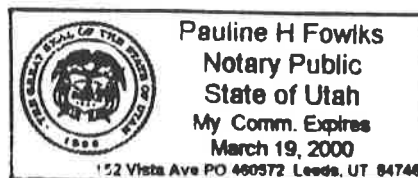
Patrick J. Franks  
MANAGER / CLERK  
Title

SUBSCRIBED AND SWORN to before me this 12 day of August, 1996.

Pauline H. Fowlks  
NOTARY PUBLIC  
Residing at: 152 Vista Ave.

Commission Expires:

March 19 2000



**NOTE:** Please find attached the Application for Certification. After a Court is approved and before the Court begins to operate, it will be necessary for the governing body of the entity which has requested certification to fill out the application and forward it to the Justice Court Standards Committee.

COURT CERTIFICATION AFFIDAVIT

Proposed Court Location: 218 North Main Street

Applicant: Town of Leeds Corporation

Address: 218 North Main Street  
Leeds, VT 05746-0877

Telephone: (802) 879-2447

Level of Court (Circle one): I II III IV

Case Filings Per Month: 30-60

Daily Court Hours: 9:00am - 11:00am (negotiable)

Number of Full-time Clerks: 0 # Hours Worked Per Week: 0

Number of Part-time Clerks: 1 # Hours Worked Per Week: 10

This form is divided into two parts. Section I contains those requirements that are statutory and are not waivable. Section II contains minimum requirements established by the Judicial Council, and those requirements may be waived pursuant to the procedure set forth in the instructions to applicant included with the application for certification.

-----

Comes now \_\_\_\_\_

for \_\_\_\_\_

\_\_\_\_\_ and,

except as specifically noted below, certifies as follows:

SECTION I

THE FOLLOWING TWELVE ITEMS ARE STATUTORY AND CANNOT BE WAIVED.  
CERTIFICATION WILL NOT BE GRANTED UNLESS EACH REQUIREMENT IS MET.

Please indicate YES OR NO to each of the following:

1. Arrangements have been made so that all official court business will be conducted in a public facility. yes
2. Court will be open daily. yes
3. The hours of court operation will be posted conspicuously. yes
4. The judge and the clerk will be required to attend court at regularly scheduled times based on the level of the court. yes
5. The judge will be compensated at a fixed rate. yes
6. The responsible governmental entity will provide and compensate sufficient clerical personnel necessary to conduct the business of the court. yes
7. This entity will assume the expenses of the travel of the judge for purposes of required judicial education. yes
8. This entity will assume the expenses of the travel of the clerk for the purposes of attending training sessions conducted by the Judicial Council. yes
9. The responsible governmental entity will provide the Court with:
  - a. Sufficient prosecutorial support yes
  - b. Funding for attorneys for indigent defendants, as appropriate yes
  - c. Sufficient local law enforcement officers to attend court as provided by statute yes
  - d. Security for the court as provided by statute yes
  - e. Witness and juror fees yes

legal f. A current copy of the motor vehicle laws of the state of Utah, appropriate copies of the Utah Code, the Justice Court manual, state laws affecting local governments, local ordinances and other necessary reference materials Yes

10. Procedures have been adopted to insure that fines, surcharges and assessments which are payable to the state will be forwarded as required by law Yes

11. Court will be held within the jurisdiction of the court, except as provided by law (78-5-107) Yes

## SECTION II

Section II contains minimum requirements established by the Judicial Council, and those requirements may be waived or an extension granted pursuant to the procedure set forth in the instructions to applicant included with this application for recertification.

Please indicate YES OR NO to each of the following:

1. Arrangements have been made so that court will be open for at least one hour each day, or more as appropriate for the classification of the court yes
2. Arrangements have been made so that the judge will be available to attend court and to conduct court business as needed yes
3. Minimum furnishings in the courtroom have been provided, including:
  - a. Desk and chair for the judge yes
  - b. A six inch riser yes
  - c. Desk and chair for the Court Clerk yes
  - d. Chairs for witnesses yes
  - e. Separate tables and appropriate chairs for plaintiffs and defendants yes
  - f. A Utah State flag yes
  - g. A United States flag yes
  - h. A separate area and chairs for at least four jurors yes
  - i. A separate area with appropriate seating for the public yes
  - j. An appropriate room for jury deliberations yes
  - k. An appropriate area or room for victims and witnesses which is separate from the public yes
  - l. A judicial robe yes
  - m. A gavel yes

- n. Current bail schedules Yes
- o. A copy of the Code of Judicial Administration Yes
- p. Necessary forms and supplies Yes
- q. Office space for the judge Yes
- r. Office space for the court clerk Yes
- s. Secure filing cabinets Yes
- t. Appropriate office supplies Yes
- u. A cash register or secured cash box Yes
- v. A typewriter or word processor Yes
- w. Access to a copy machine Yes
4. The appropriate number of clerks will be provided as determined by the approved classification of the court, and a clerk will be provided as needed during the time court is open each day during court sessions Yes
5. I am familiar with the minimum operational standards for this court, and except as noted below, those standards are currently in place and available to the court.

Any exceptions to the above are specifically set forth as follows:

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DATED this 22 day of July, 1996.

Patrick J. Franks  
Manager / Clerk  
Title

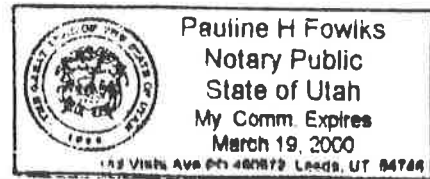
SUBSCRIBED AND SWORN to before me this 12 day of  
August, 1996.

Pauline H Fowiks  
NOTARY PUBLIC

Residing at: 152 Vista Ave

Commission Expires:

Mar 19 2000



## ***Town of Leeds***

A Resolution of the Town of Leeds to Establish a Justice Court within the Town Limits.

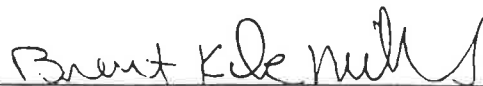
**WHEREAS:** The Town Council of the Town of Leeds is desirous to establish a Justice Court within the Town Limits,

**WHEREAS:** The East Justice Court of Washington County, Utah, has expressed they are overwhelmed with the number of citations that the Leeds Police Department has issued,

**WHEREAS:** The Town Council of the Town of Leeds has expressed a sincere desire to establish a Justice Court and has had written notification from the Town Attorney regarding the requirements of establishing a Justice Court.

**THEREFORE:** let it be resolved that the Town of Leeds is favorable to establishing a Justice Court within the Town Limits of Leeds and will comply and meet all requirements of establishing said court.

**PASSED THIS 28th DAY OF AUGUST 1996**



Brent K. DeMille, Mayor

attest: 

Patrick J. Franks, Manager / Clerk

THOMPSON & ASSOCIATES

RONALD W. THOMPSON  
STEPHEN H. URQUHART

ATTORNEYS AT LAW  
148 EAST TABERNACLE STREET  
ST. GEORGE, UTAH 84770

(801) 628-7777  
FAX # (801) 673-1444

July 31, 1996

Mayor Brent K. DeMille  
Town of Leeds  
P.O. Box 460879  
Leeds, UT 84746-0879

Re: Municipal Justice Court

Dear Mayor DeMille:

This opinion letter is being rendered in accordance with your request and as required for certification of the Town of Leeds Justice Court.

Statutes of the State of Utah require that certain standards be met in the operation of a Justice Court. These statutory requirements include:

1. All official court business shall be conducted in a courtroom or an office located in a public facility which is conducive and appropriate to the administration of justice (Utah Code Ann. § 78-5-108).

2. Each court shall be opened and judicial business shall be transacted every day as provided by law (§ 78-5-108), although the judge is not required to be present during all hours that the court is open.

3. The hours that the court will be open shall be posted conspicuously at the court and in local public buildings (§ 78-5-108).

4. The judge and the clerk of the court shall attend the court at regularly scheduled times (§ 78-5-108).

5. The entity creating the Justice Court shall provide and compensate a judge and clerical personnel to conduct the business of the court (§ 78-5-128 and § 78-5-110).

6. The entity creating a Justice Court shall assume the expenses of travel, meals, and lodging for the judge of that court to attend required judicial education and training (§ 78-5-127).

7. The entity creating a Justice Court shall assume the cost of travel and training expenses of clerical personnel at training

sessions conducted by the Judicial council (§ 78-5-110).

8. The entity creating the Justice Court shall provide a sufficient staff of public prosecutors to attend the court and perform the duties of prosecution (§ 78-5-111).

9. The entity creating the court shall provide adequate funding for attorneys where persons are indigent as provided by law (§ 78-5-111).

10. The entity creating the court shall provide sufficient local law enforcement officers to attend court when required and provide security for the court (§ 78-5-111).

11. Witness and jury fees as required by law shall be paid by the entity which creates the Court (§ 78-5-112).

12. Any fine, surcharge, or assessment which is payable to the State shall be forwarded to the State as required by law (§ 78-5-135 and § 78-5-126).

13. Every entity creating a court shall pay the judge of that court a fixed compensation (§ 78-5-128).

14. Court shall be held within the jurisdiction of the court, except as provided by law (§ 78-5-107).

15. The entity creating the court shall provide and keep current for the court a copy of the Motor Vehicle Laws of the State of Utah, appropriate copies of the Utah Code, the Justice Court Manual, state laws affecting local governments, local ordinances, and other necessary legal reference material (§ 78-5-109).

16. All required reports and audits shall be filed as required by law or by rule of the Judicial Council pursuant to Section § 78-5-130.

In addition to those requirements which are directly imposed by statute, section § 78-5-139 directs the Judicial Council to promulgate minimum requirements for the creation and certification of Justice Courts. Pursuant to statute, the Judicial Council has adopted the following minimum requirements:

1. That the Court be opened for at last one hour each day that the court is required to be open as provided by law (Section § 78-5-108).

2. That the judge be available to attend court and conduct court business as needed.

3. That the minimum furnishings for a courtroom include: a desk and chair for the judge (on a six inch riser), a desk and

chair for the court clerk, chairs for witnesses, separate tables and appropriate chairs for plaintiffs and defendants, a Utah State flag, a United States flag, a separate area and chairs for a least four jurors, a separate area with appropriate seating for the public, an appropriate room for jury deliberations, and an appropriate area or room for victims and witnesses which is separate from the public.

4. A judicial robe, a gavel, current bail schedules, a copy of the Code of Judicial Administration, and necessary forms and supplies.

5. Office space for the judge and clerk (under certain circumstances this space may be shared, but if shared, the judge and clerk must have priority to use the space whenever needed). The office space shall include a desk for the judge and a desk for the clerk, secure filing cabinets for the judge and the clerk, a telephone for the judge and a telephone for the clerk, appropriate office supplies to conduct court business, a cash register or secured cash box, a typewriter or word processor, and access to a copy machine.

6. A clerk must be present during the time the court is open each day and during court sessions, as required by the judge.

7. The entity must have at least one peace officer (which may be contracted).

8. Since the Town of Leeds Justice Court will be new, it must be at least 25 miles from the location of the Court which is currently hearing the majority of the cases which will be filed in the new court.

It is my understanding that the Town of Leeds Justice Court has less than 61 cases filed each month. Therefore, it should be classified as a Class IV Court, required to meet the minimum standards set forth above. There may be circumstances where the requirements adopted by the Judicial Council can be waived, upon application to the Council.

In connection with the requirements set forth above, you should be aware that the territorial jurisdiction of the municipal justice court extends to the corporate limits of the municipality in which the court is created (§ 78-5-103).

Municipal justice courts have exclusive original jurisdiction over the following offenses committed within the territorial jurisdiction of the court:

1. All city ordinances.

2. Offenses charged under Title 41 (motor vehicles), except driving under the influence of alcohol or drugs, driving with a blood alcohol content of .08 percent or higher and reckless driving.

In addition, municipal justice courts have concurrent jurisdiction with the circuit court over the following offenses committed within the territorial jurisdiction of the court:

1. Class B and C misdemeanors.
2. Driving under the influence of alcohol or drugs, driving with a blood alcohol content of .08 percent or higher, and reckless driving.
3. Infractions.

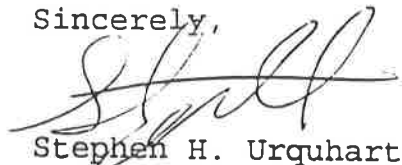
Municipal justice courts also have concurrent jurisdiction with the circuit court over small claims cases under Chapter 6, Title 78, Utah Code Ann. if the defendant resides in or the debt arose within the territorial jurisdiction of the justice court. (§ 78-5-104)

Justice courts also have concurrent jurisdiction with the Circuit Court over traffic, misdemeanors and infractions committed by persons 16 or 17 years of age that occur within the territorial jurisdiction of the court, except offenses exclusive to the juvenile court under Utah Code Ann. (§ 78-3a-16(1)(a)). The justice courts do not have jurisdiction of offenses committed by persons 16 or 17 that are alcohol or drug related traffic offenses, reckless driving, fleeing an officer, leaving the scene of an accident and driving on a suspended license. (§ 78-5-105) The justice courts also have certain other duties and authority under §§ 78-5-105.

So long as the Town of Leeds commits the necessary funding and resources to comply with the requirements set forth above to handle the cases falling within the court's jurisdiction, it is feasible for Leeds to maintain a municipal justice court.

If you have any questions or comments, please do not hesitate to contact me.

Sincerely,



Stephen H. Urquhart

### **Submitting Nominees**

The Appellate Court Nominating Commission submits five nominees, and in the event of a tie, as described above, the Commission may submit up to two additional nominees. The Commissions for judicial districts other than the Third Judicial District submit three nominees, and in the event of a tie, as described above, the Commissions may submit up to two additional nominees.

Except as provided herein, the Commission for the Third Judicial District submits five nominees. ~~[If the Commission determines that fewer than five applicants meet the qualifications for office, the Commission may submit four or three nominees.]~~ If the Commission is considering applicants for multiple vacancies, the Commission submits five nominees for one vacancy and three nominees for each additional vacancy. As provided below for multiple vacancies, the nominees are not ranked nor linked to a particular vacancy.

**JUDICIAL COUNCIL CAPITAL PROJECTS REQUEST FY98  
STATUS REPORT MARCH 6, 1997**

The following projects reflect action taken by the 97 Legislature concerning the funding of capital projects that were established as a priority by the Judicial Council during the August, 1996 Planning Meeting.

Project	Court Request	Analyst	Committee	Funding Source
1. Vernal Land and Program	\$200,000 for land and program	\$200,000 to purchase land	\$40,000 for program only	New General Fund
2. Cedar Land Purchase	\$117,000	\$117,000 , but from court resources	Approved intent language allowing purchase	From courts own funds, should funding be found
3. Provo Land Purchase	Cost per Provo City \$1,004,000. Complete Fourth District Needs Analysis First	Not recommended	Passed intent language expressing intent to purchase should approval be granted during 98 session	General Fund or may be part of 98 bonding bill
4. Cedar Courthouse Site Improvements	\$153,200 from ARI Funds, which are distributed by the Building Board	No action, leave to Building Board Hearings-March 12th	No Action, leave to Building Board Hearings - March 12th	Improvement Funds from DFCM as approved by Building Board
5. Sevier Court Security Improvements	\$37,200 from ARI funds, which are distributed by the Building Board	No action, leave to Building Board Hearings on March 12	No action, leave to Building board Hearings on March 12	ARI or improvement funds as approved by the Building Board

**INTENT LANGUAGE PASSED**

It is the intent of the Legislature that Courts be allowed to use funds within existing budgets to purchase land in Cedar City.

(Intent language was also approved by the Executive Appropriations Committee supporting purchase of the Provo City land for future expansion of the Fourth District Court. Final purchase will be subject to Judicial Council approval, and subsequent funding by the 98 Legislature. This will help in negotiations with Provo City.)

**LEGISLATION**

1. HB385 - Provides for establishment of a 7 member panel (two from the Governor's Office, five from the Legislature), to make decisions as to which agencies will be located on Capitol Hill.

2. HB3 - Requires DFCM to provide operations and maintenance support to all state owned buildings, except that DFCM may grant exceptions upon request by the agency. Previously agencies had the option to use DFCM, or to hire their own maintenance service.

**CAPITAL BUDGET APPROVED BY EXECUTIVE APPROPRIATIONS**  
**Capital Facilities and Administrative Services Appropriation Subcommittee**

2/26/97

U of U - Gardner Hall	\$15,303,600	\$15,303,600	\$203,900
Youth Corrections - Region I Secure Facility	9,084,000	24,387,600	230,400

<b>Total Buildings</b>		<u>\$24,387,600</u>	<u>\$434,300</u>
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<b>Capital Improvements</b>		<u>29,980,600</u>	
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**Statewide Land Purchases**

WSU - Davis Campus	\$771,000
Workforce Services - Cedar City	148,000
Dixie College	708,700
CEU - Durrant School	400,000

<b>Total Land</b>	<u>2,027,700</u>
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**Planning:**

Courts - Vernal Courthouse	\$40,000
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<b>Total Planning</b>	<u>40,000</u>
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<b>TOTAL PROJECTS</b>	<u>\$56,435,900</u>
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**Source of Funding:**

General Fund	\$44,055,900
Uniform School Fund	1,000,000
FY 1997 Bonding Authorization	8,680,000
Federal Funds	2,700,000

<b>TOTAL FUNDING</b>	<u>\$56,435,900</u>
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**Transportation Buildings**

Cove Fort	1,613,600
Grantsville	1,563,700

<b>TOTAL PROJECTS (including Trans.)</b>	<u>\$59,613,200</u>
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**GENERAL OBLIGATION BONDING**

	<u>FY 98</u>	<u>Cumulative</u>	<u>Est. New</u>	<u>Est. New</u>	<u>Est. Future</u>
	<u>Funding</u>	<u>Total</u>	<u>Ann. O/M</u>	<u>Prog. Cost</u>	<u>Funding</u>
1 Youth Corrections - Carbon / Emery - 18 beds	\$2,298,100	\$2,298,100	\$70,000	\$736,000	
2 State Hospital - 100 bed Forensic Facility	13,800,700	16,098,800	320,600	3,918,300	
3 USU - Widtsoe Hall	23,986,700	40,085,500	750,200		
4 DATC - Medical/Health Tech Addition	6,344,900	46,430,400	144,000	884,000	
5 SUU - P.E. Bldg. (Design)	1,100,000	47,530,400	456,100	450,000	22,275,100
6 SLCC-High Tech Bldg.- 90th So. Campus (Des	1,165,000	48,695,400	718,500		21,148,400
7 DNR - Antelope Island Road	3,600,000	52,295,400			
8 SVATC - Multi Purpose Center	1,500,000	53,795,400			
9 DNR - Dead Horse Point Visitors Center	1,350,000	55,145,400	5,700		
<b>Total Buildings - G.O. Bond</b>	<u>\$55,145,400</u>		<u>\$2,465,100</u>	<u>\$5,988,300</u>	<u>\$43,423,500</u>


<b>TOTAL GENERAL OBLIGATION BONDING</b>	<u>\$55,145,400</u>
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# Administrative Office of the Courts

Chief Justice Michael D. Zimmerman  
Chair Utah Judicial Council

Daniel J. Becker  
State Court Administrator  
Myron K. March  
Deputy Court Administrator

## MEMORANDUM

**To:** Utah Judicial Council  
**From:** Peggy Gentles, Staff Attorney   
**Subject:** Rule 10-1-201  
**Date:** February 21, 1997

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Pursuant to a review by the Policy and Planning Committee, the Second District requested that Rule 10-1-201 be rescinded. Pursuant to Rule 2-204, the Board of District Court Judges has recommended removal of the rule by the Council on its consent calendar. The full text of the rule is as follows:

**Rule 10-1-201. Criminal case scheduling.**

**Intent:**

To provide timely disposition of criminal cases.

**Applicability:**

This rule shall apply to the Second District Court.

**Statement of the Rule:**

- (1) At the time of arraignment, each case shall be assigned a disposition conference and a trial date.
- (2) Disposition conferences shall be scheduled seven days from arraignment; trial dates shall be scheduled 14 days from arraignment.
- (3) At the time of arraignment, attorneys shall appear with their calendars, and the Court shall select the trial date convenient to all attorneys consistent with the time frame specified above.

# Administrative Office of the Courts

Chief Justice Michael D. Zimmerman  
Chair Utah Judicial Council

## MEMORANDUM

Daniel J. Becker  
State Court Administrator  
Myron K. March  
Deputy Court Administrator

 TO: Judicial Council Management Committee  
FROM: Holly Bullen, Assistant State Court Administrator  
DATE: February 24, 1997  
RE: Court Interpreter Advisory Panel

The new Rule 3-306, CJA, specifies that a Court Interpreter Advisory Panel shall be appointed by the Judicial Council. The function of the panel is as follows:

- To develop policies concerning court interpreters
- To consult with the administrative office regarding the establishment of programs to certify court interpreters, and
- To review and respond to allegations of violation of the Code of Professional Conduct, including decertification or other disciplinary measures.

The Committee includes the following positions:

One District Judge  
One Juvenile Judge  
One Justice Court Judge  
One Court Executive  
One Clerk of Court  
One Court Interpreter Coordinator  
One Certified Court Interpreter  
One Expert in the Field of Linguistics  
One Attorney

Pursuant to Rule 1-205, CJA, on February 5, 1997, I sent a letter announcing the vacant positions on the Panel to Judges, Court Executives, Clerks of Court, Interpreter Coordinators, and Certified Interpreters, asking for interested people to submit an application. I also solicited recommendations for the linguistic expert position and the attorney position from individuals with extensive experience in court interpreting and/or working with court interpreters. Following is a list of the applicants/recommendations:

District Judge:	Judge Lynn W. Davis, Fourth District Judge Roger Livingston, Third District
Juvenile Judge:	Judge Diane Wilkins, Second District Juvenile
Justice Court Judge:	Judge David Miller, Centerville City Judge Stanley Robinson, Delta City
Court Executive:	Larry Gobelman, Third District
Clerk of Court:	Marie Hintze, Sixth District Joanne McKee, Eighth District
Interp. Coordinator:	Debbie Olsen, Third District Pat Tingey, Third District Juvenile Carolyn Smitherman, Fifth District
Certified Interpreter:	Grant Anderson Axel Soto
Attorney:	James Valdez, Salt Lake County Legal Defender's Association
Linguistic Expert:	Professor Mauricio Mixco, University of Utah

I will be in attendance at the February 26 Management Committee meeting to discuss these appointments with the Committee. Thanks very much for your assistance.

c: Dan Becker  
Myron March  
Kris Prince

Draft

## Short Title and Sponsor

. HB0001 Appropriations Act (Stephens, M.)  
 HB0002 Minimum School Program Act Amendments (Wright, B.)  
 HB0003 State Buildings - Preventive Maintenance (Adair, G.)  
 HB0004 Public Safety - Missing Persons Center (Johnson, K.)  
 HB0005S2 Automated Teller Machine Amendments (Hunsaker, F.)  
 . HB0006S1 Surviving Spouse Pension (Carnahan, O.)  
 HB0007S1 Tuition Waiver Amendments (Hickman, J.)  
 HB0008 Capitol Art Placement Commission (Tanner, J.)  
 . HB0011 Limitation of Landowner Liability Amendments (Tuttle, D.)  
 . HB0012S1 Boards And Commissions Amendments (Bradshaw, A.)  
 HB0014 Self Insured Premium Assessment (Adair, G.)  
 HB0016 Utah Summer Games Appropriation (Bowman, D.)  
 . HB0017 Counterfeit Financial Transaction Card Amendments (Goodfellow, B.)  
 HB0018 Higher Education Revenue Bonds (Hunsaker, F.)  
 HB0019 Real Property Improvements Agreements (Ure, D.)  
 . HB0020S1 Citation Procedure (Hendrickson, N.)  
 . HB0021S1 Controlled Substances Amendments (Hendrickson, N.)  
 . HB0022 Unlawful Activity Amendments (Barth, S.)  
 HB0023 County Improvement Districts Amendments (Hogue, D.)  
 HB0024S1 Municipal Districts (Bush, D.)  
 HB0025 Public Water Supply Agencies - Application and Use (Iverson, D.)  
 HB0026 Depository Institution Name Amendments (Bradshaw, A.)  
 . HB0027S2 Cigarettes - Tax Increase And Regulation (Tanner, J.)  
 HB0029 Mobile Home Tenant Amendments (Frandsen, L.)  
 . HB0030S1 Concealed Firearms Amendments (Barth, S.)  
 HB0031 Motor Vehicle Safety Investigators (Harper, W.)  
 HB0032 Recreation Impact Fees (Valentine, J.)  
 HB0033 Designation of State Fruit (Hunsaker, F.)  
 . HB0034 Assault Amendments (Knudson, P.)  
 HB0035 Accelerated Learning Amendments (Frandsen, L.)  
 . HB0039 Higher Education Parking Enforcement (Tyler, A.)  
 HB0040 Renewal of Drivers Licenses Kiosks (Arent, P.)  
 . HB0041 Restrictions on Weapons in Airports (Arrington, J.)  
 . HB0042S1 Juvenile Court Hearings And Records (Arent, P.)  
 ✓ HB0043 County and Municipality Judgeships (Harper, W.)  
 . HB0044 Concurrent and Consecutive Sentencing Limitations (Hendrickson, N.)  
 . HB0045S1 Traffic Checkpoint Amendments (Stephens, N.)

## Short Title and Sponsor

HB0046 Fee for Background Check Before Handgun Purchase (Koehn, S.)  
 . HB0048 Amendments to Capital Sentencing (Ure, D.)  
 . HB0050 Child Restraint Requirements and Penalties (King, B.)  
 . HB0051 Tolling a Criminal Sentence (Curtis, G.)  
 . HB0052 Prohibition of Contraband in a Correctional Facility (Koehn, S.)  
 . HB0054S4 Dangerous Weapon Penalty Enhancement (Cox, G.)  
 . HB0055S1 Alcohol And Drug Testing Fee (Bush, D.)  
 HB0056 Private Activity Bonding (Becker, R.)  
 . HB0057S3 Penalty For Theft Of Animal (Buttars, C.)  
 . HB0058 Resentencing Amendments (Gladwell, D.)  
 HB0061S1 Property Tax Notification, Assessment, Collection, And Appeal (Anderson, E)  
 HB0062 Exemptions from Construction Trades Licensing Act (Wright, B.)  
 . HB0064S1 Private Property Protection Act Amendments (Olsen, E.)  
 HB0066 Appropriation for Pioneer Display (Allen, B.)  
 HB0067S1 Children's Reading Skills (Haymond, J.)  
 HB0068S1 Disposal Fee For Construction And Demolition Waste (Tuttle, D.)  
 . HB0069 Serious Habitual Youth Offender Program (Chard, B.)  
 HB0070 Utah National Parks Highway Designation (Johnson, K.)  
 HB0071S1 Telecommunications - Universal Service Amendments (Stephens, M.)  
 HB0072S1 Procurement Of Architect, Engineer, Or Surveyor Services By Political Subdiv

HB0074 County Service Areas Amendments (Stephens, M.)  
 HB0076 Utah Botanical Center Appropriation (Dillree, M.)  
 .HB0078S1 Witness Immunity Amendments (Gladwell, D.)  
 .HB0080S1 Real Property - Presumption Of Title (Swallow, J.)  
 HB0081 Appropriation for Classroom Supplies (Bigelow, R.)  
 HB0082 Public Transit District Ethics (Short, R.)  
 HB0084 Sales Tax - Exemption for Employee Transportation (Swallow, J.)  
 .HB0087 Computer Crimes Amendments (Holladay, B.)  
 HB0088 Tourism Marketing Performance Fund (Allen, S.)  
 HB0090 Elk Farming (Johnson, B.)  
 .HB0092 Child Abuse Protections (Cox, G.)  
 HB0093 Appropriation For Children's Art Facility Expansion (Haymond, J.)  
 ✓HB0094 Guardian Ad Litem Amendments (Barth, S.)  
 .HB0096 Wrongful Lien Amendments (Swallow, J.)  
 HB0098S2 Local Taxing Authority (Valentine, J.)  
 HB0099 Requirements Of Statutorily Required Reports And Notices (Jones, D.)  
 .HB0105S1 Civil Relief Act (Knudson, P.)  
 HB0106 Trust Lands Act Amendments (Harward, B.)  
 .HB0107 Counsel For Indigent Defendants (Hatch, T.)  
 .HB0109 Adoption Of Children In Division Of Child And Family Services Custody (Ste  
 HB0111 Transportation Corridor Funding (Dillree, M.)  
  
 Short Title and Sponsor  
 HB0113S1 Child Care Licensing Amendments (Chard, B.)  
 HB0114 Transportation Corridor Acquisition, Preservation, And Regulation (Dillree  
 HB0115 Cooperative Wildlife Management Units (Chard, B.)  
 HB0117 Underground Storage Tank Funding (Wright, B.)  
 .HB0121 Criminal Justice Boards And Commissions Amendments (Bradshaw, A.)  
 HB0124S2 Licensing of Day Care Facilities (Jones, D.)  
 HB0127 Utility Siting Amendments (Knudson, P.)  
 HB0129 Centrally Assessed Taxpayers Amendments (Short, R.)  
 HB0131 Diligence And Underground Water Claims - Publication And Review (Styler, M  
 .HB0132 Fugitive Bail Amendments (Holladay, B.)  
 .HB0137 Youth Corrections Amendments (Barth, S.)  
 HB0138 Student Education/occupation Plan Amendments (Frandsen, L.)  
 HB0139 Employee Leasing Company Licensing Act Amendments (Allen, B.)  
 HB0140 Hunting Permits For Persons With Disabilities (Allen, B.)  
 HB0141 Medical Education Program (Haymond, J.)  
 .HB0142 Escape And Absconding Amendments (Killpack, R.)  
 .HB0143S1 Unlawful Detainer Amendments (Swallow, J.)  
 .HB0147 Lights on Vehicles (Buckner, P.)  
 HB0148 County Option Sales Tax for Botanical and Cultural Organizations (Allen, B  
 HB0150 County Improvement District Boundary Adjustment (Dillree, M.)  
 HB0153 Property Tax Relief Amendments (Short, R.)  
 HB0154 Property Tax - Circuit Breaker (Short, R.)  
 HB0155 Master Road Amendments (Knudson, P.)  
 .HB0156 Counsel for Indigent Defendants in Juvenile Court (Hatch, T.)  
 HB0160 Election Law Technical Amendments (Carlson, M.)  
 HB0161 Municipal Election Amendments (Tanner, J.)  
 .HB0162 Electronic Meetings (Goodfellow, B.)  
 .HB0163 Prison Inmate Education Amendments (Frandsen, L.)  
 .HB0164 Children and Youth at Risk Amendments (Evans, B.)  
 HB0166 Joint Liaison Committee Amendments (Evans, B.)  
 .HB0167 Child Support - Social Security Credit (Harward, B.)  
 HB0169 Transit District Collections and Budget (Short, R.)  
 HB0170 Domestic Abuse Insurance Practices (Allen, S.)  
 HB0171 Housing Coordination and Planning (Hunsaker, F.)  
 .HB0173 Retirement Office Amendments (Short, R.)  
 HB0174 Immunity to Dam Owners (Johnson, B.)  
 HB0175 Workers' Compensation Fund of Utah (Alexander, J.)  
 .HB0177 Post Certification of Youth Corrections Workers (Chard, B.)  
 .HB0178S3 Foster Care Citizen Review Board Amendments (Stephens, N.)  
 HB0180 Sunset Reauthorizations (Brown, M.)  
 HB0181S1 Reduction And Summarization Of Annual Reports (Olsen, E.)

## Short Title and Sponsor

HB0182 Administrative Rules Review Committee Amendments (Ure, D.)  
 • HB0183 Utah Tomorrow Strategic Planning Committee Amendments (Bradshaw, A.)  
 • HB0184S1 Community And Youth Prevention Programs (Frandsen, L.)  
 HB0185 Indian Affairs Amendments (Gowans, J.)  
 HB0186 Native American Performance of Marriages (Anderson, E.)  
 HB0187 State and Local Public Safety 800 Megahertz Project (Chard, B.)  
 HB0188 Malpractice Against Health Care Providers Amendments (Valentine, J.)  
 HB0189 Special Districts - Drainage District Amendments (Styler, M.)  
 HB0190 School Board Compensation (Allen, S.)  
 • HB0192 Vehicle Safety at Railroad Crossings (Hendrickson, N.)  
 • HB0196 Pedestrian Right of Way (Swallow, J.)  
 HB0197 Use of Income Tax Revenues (Garn, K.)  
 • HB0198S2 Amendments To Homestead Exemptions (Valentine, J.)  
 • HB0199 County Officers Amendments (Seitz, J.)  
 HB0200 Educational Savings Plan Trust Amendments (Johnson, K.)  
 HB0201 Professional Corporation Act Amendments (Arent, P.)  
 • HB0202 Peace Officer Standards and Training (Chard, B.)  
 HB0203 State Cooking Pot (Buttars, C.)  
 HB0204 Alcoholic Beverages - Restaurant Regulation (Hatch, T.)  
 HB0205 Recording Subdivisions of Land (Koehn, S.)  
 HB0206 Property Tax Amendments (Ure, D.)  
 HB0207S1 Out Of State Firearm Permit (Killpack, R.)  
 HB0208 Amendments to Special Districts (Allen, B.)  
 HB0209 Legacy Loop Highway Addition (Bowman, D.)  
 HB0212 Education Costs for Nonresident Students (Allen, S.)  
 HB0213 Reauthorize Enterprise Zone Act (Evans, B.)  
 HB0214 Utah Sports Authority and Advisory Committee Amendments (Tanner, J.)  
 • HB0215 Custody Disputes Involving a Parent with a Disability (Tanner, J.)  
 HB0216 Rural Health Care Provider Amendments (Haymond, J.)  
 HB0219S2 Powers Of Mayors (Knudson, P.)  
 HB0220 Employment Security Amendments (Knudson, P.)  
 HB0221 Workers' Compensation - Noncompliance of Employer (Adair, G.)  
 HB0222 Powers of the Department of Workforce Services (Adair, G.)  
 HB0224 Workers' Compensation - Costs of Medical Review (Adair, G.)  
 HB0225 Assessment on Workers' Compensation (Adair, G.)  
 • HB0226 Driver License Reinstatement (Adair, G.)  
 HB0227 Property Survey - Statute of Limitations (Adair, G.)  
 HB0228 Revisor's Statute (Hickman, J.)  
 • HB0229 Domestic Relations Cases - Name Designation (Valentine, J.)  
 HB0230 Olene Walker Housing Trust Fund Amendments (Adair, G.)  
 HB0231 Application for Water Rights (Hatch, T.)

Short Title and Sponsor  
 HB0234 Amendments to Subdivision Act (Ure, D.)  
 HB0236 Municipal Building Authority Bond Issuance (Ure, D.)  
 HB0239 Securities Issuance by Electrical Corporations (Haymond, J.)  
 HB0242 Highway Patrol - Computer Purchase (Adair, G.)  
 HB0243 Appropriation for Additional Highway Patrol Troopers (Adair, G.)  
 HB0247 B And C Roads Formula (Stephens, M.)  
 HB0248S1 Planning And Zoning - Subdivision Plats (Saunders, C.)  
 • HB0257 Public Assistance Welfare Fraud (Murray, J.)  
 HB0258 Kurt Oscarson Children's Organ Transplant Committee (Davis, G.)  
 • HB0262 Statute Of Limitations Amendments (Barth, S.)  
 • HB0264 Aggravated Assault By A Prisoner Amendments (Barth, S.)  
 HB0265S1 Mining Bond And Surety Forfeiture Fund (Styler, M.)  
 HB0266 Utah Department Of Transportation Authority To Construct Toll Roads And Lane  
 HB0267 Council On Excellence In Government (Ure, D.)  
 HB0268 Amendments On Affordable Housing (Haymond, J.)  
 HB0269S1 Family Employment Program (Frandsen, L.)  
 HB0270 State Museum Of Natural History Outreach Programs (Olsen, E.)  
 • HB0271 Divorce Education Program Technical Correction (Haymond, J.)  
 HB0272S1 Health Facility Licensure Amendments (Carlson, M.)  
 HB0275 Wildland Fire (Gowans, J.)  
 • HB0276 Controlled Substances Container Amendments (Arent, P.)

HB0277S1 Mcgruff House Program (Beck, T.)  
 HB0278 Centennial Nonmotorized Paths And Trail Crossings Program (Tyler, A.)  
 HB0280 Special Districts Annexation Amendments (Arrington, J.)  
 HB0282 Work Programs For Prisoners Amendments (Fox, C.)  
 HB0283 Appropriation For Weber County Fairgrounds (Adair, G.)  
 •HB0286 Perjury Reform (Curtis, G.)  
 HB0289 Cougar And Bear Depredation Loss (Evans, B.)  
 HB0290 Appropriation For County Land Use Planning (Iverson, D.)  
 HB0291 Civil Defense Compact (Koehn, S.)  
 HB0292 Rest Stop Commemorating American West (Olsen, E.)  
 •HB0293S1 Magistrate Authority (Harward, B.)  
 HB0295 Limited Liability Company Act Amendments (Valentine, J.)  
 HB0296 Annexation Transition For School Districts (Killpack, R.)  
 •HB0298 Uniform Securities Act Amendments (Curtis, G.)  
 •HB0300S2 Expanded Conservatorship And Guardianship Services For Elderly (Bradshaw,  
 HB0301 Sales Tax Refund Amendments (Valentine, J.)  
 HB0305 Easement For Ditches (Styler, M.)  
 •HB0307S2 Child Welfare Reform Act Amendments (Haymond, J.)  
 •HB0311 Human Resource Management Amendments (Allen, B.)  
 HB0312S1 Motor Vehicle Dealer Franchise Act Amendments (Fox, C.)  
  
 Short Title and Sponsor  
 HB0313 Electrical Deregulation and Customer Choice Task Force (Fox, C.)  
 HB0316 Tax Assessments, Refunds, And Credits (Harper, W.)  
 HB0317 Corporate Income Tax Amendments (Harper, W.)  
 HB0319 Income Tax - Filing Extensions (Alexander, J.)  
 •HB0320 Action For Loss Of Consortium (Fox, C.)  
 HB0322 State Fair Park Amendments (Wright, B.)  
 ✓HB0323 Court Amendments (Fox, C.)  
 ✓HB0324 Justice Court Amendments (Fox, C.)  
 HB0327 Transient Room Tax Amendments (Alexander, J.)  
 HB0329 Harmful Material To A Minor (Buckner, P.)  
 HB0330 Deputy Sheriffs - Merit System Commission Amendments (Davis, G.)  
 HB0331 Hospital Tax Amendments (Valentine, J.)  
 HB0332 Sales Tax - Exemption For Government Copies (Valentine, J.)  
 HB0341S1 Modified School Week Pilot Program (Hatch, T.)  
 •HB0342 Gang Prevention And Intervention (Short, R.)  
 HB0346 Tuition Waiver For Certain Students In Higher Education (Davis, G.)  
 HB0348 Sex Offender Notification Amendments (Allen, B.)  
 HB0358 Consumer Warranties on Assistive Technology (Hunsaker, F.)  
 HB0359S1 Endangered Species Mitigation Fund (Hatch, T.)  
 HB0361 Appropriation For Utah State University Pasture And Forage Initiative (And  
 HB0362S1 Informed Consent Amendments (Killpack, R.)  
 HB0363S4 Municipal And County Law Amendments (Brown, M.)  
 HB0366 Soil Conservation Districts (Brown, M.)  
 HB0367 State Agency's Contracts For Computer Support (Garn, K.)  
 HB0369 Higher Education Supplemental Savings Incentive Program (Garn, K.)  
 •HB0370 Recording Federal Tax Liens (Siddoway, R.)  
 HB0372 Industrial Assistance Fund - Rural Resettlement Program (Olsen, E.)  
 •HB0374S1 Marital Property Rights Amendments (Bradshaw, A.)  
 •HB0376 Trespassing In Abandoned Mines (Gowans, J.)  
 HB0378 Appropriation For Sevier Valley Special Events Center (Johnson, B.)  
 HB0380 State Auditor Requirements (Ure, D.)  
 •HB0382 Personnel Management Act Amendments (Garn, K.)  
 HB0385S1 Utah State Capitol Preservation Board (Brown, M.)  
 HB0389 Centennial Charter Schools Task Force (Allen, B.)  
 HB0392 Truancy Prevention Appropriation (Alexander, J.)  
 HB0400 County Volunteer And Paid-call Firefighters' Hours (Barth, S.)  
 HB0404 Environmental Quality Code Amendments (Anderson, E.)  
 HB0408 New Municipality Funding Amendments (Zolman, D.)  
 HB0411 Access Highway Designation (Hickman, J.)  
 HB0413 Sales Tax Revenues To Transportation Funding (Fox, C.)  
 HB0414S1 Registration Fee On Vehicles (Valentine, J.)

Short Title and Sponsor

HCR001S1 Escalante National Monument Resolution (Hatch, T.)  
 HCR002S1 Resolution Opposing Governmental Regulations (Iverson, D.)  
 HCR003 Resolution Calling For End To Federal Subsidies Of Tobacco (Killpack, R.)  
 HCR004 Resolution Supporting Realignment Of Air Force Base Workload (Chard, B.)  
 HCR005 Resolution Recognizing Life And Contributions Of Representative Kurt E. Osca  
 HCR006 Utah Wilderness Designation Resolution (Johnson, B.)  
 HCR008 Resolution Approving Development Of Waste Disposal Facility (Anderson, E.)  
 HJR004 Transferability Of State College Credits Resolution (Bryson, K.)  
 HJR006 Joint Rules Resolution - Amendments to Interim Rules (Harward, B.)  
 HJR007 Resolution Reappointing Director and General Counsel (Brown, M.)  
 HJR008 Resolution Repealing Marital Property Provisions (Bradshaw, A.)  
 HJR012 Joint Rules Resolution - Legislative Expenses and Mileage (Hickman, J.)  
 HJR013 Compensation of In-session Employee Resolution (Haymond, J.)  
 HJR014 Acceptance Of Trust Lands Resolution (Garn, K.)  
 HJR015 Resolution Urging Proper Protection And Management Of Wildlife (Fox, C.)  
 HJR017 Resolution Regarding Future Operation And Development Of This Is The Place S  
 • HJR019 Master Study Resolution (Fox, C.)  
 HJR021 Joint Rules Resolution - Quorum Requirements (Hickman, J.)  
 HJR022 Resolution Recognizing Rockville Open Space Project (Hatch, T.)  
 HR0002 House Rules Resolution - Admittance to House Chamber (Hickman, J.)  
 HR0003 Resolution Amending House Rules (Hickman, J.)  
 HR0004 House Rules Resolution - Speaker Responsibilities (Hickman, J.)  
 HR0006 House Rules Resolution - Bill And Committee Processes (Hickman, J.)  
 HR0007S1 Resolution Opposing Federal Government Encroachments On Rights Of States (Hickman, J.)  
 HR0009 House Rules Resolution - Quorum Committee (Hickman, J.)  
 SB0001 Supplemental Appropriations Act (McAllister, L.)  
 • SB0002 1997 Bonding And Debt Financing Authorization (Buhler, D.)  
 SB0003 Construction Contractors (Poulton, L.)  
 • SB0004 Capital Homicide Amendments (Buhler, D.)  
 SB0007 Pharmacy Act - Open Drug Formulary (Holmgren, J.)  
 • SB0009S1 Parolees And Probationers Education Requirements (Poulton, L.)  
 SB0010 Income Tax Checkoff (Hillyard, L.)  
 SB0012 Underground Coal Mining - Water Replacement Requirements (Dmitrich, M.)  
 SB0013S1 Telecommunication Amendments (Steele, D.)  
 SB0014S3 Outdoor Advertising Amendments (Mansell, L.)  
 SB0015 Public Education Computer Technology Task Force (Montgomery, R.)  
 SB0016S1 Appropriation For Tuacahn Foundation (Jones, L.)  
 • SB0017 Covering Certain Load Materials (Hull, J.)  
 SB0018 Health Care Provider Practice and Conduct Amendments (Montgomery, R.)  
 SB0020 Optometry Practice Act (Mansell, L.)  
 SB0021S2 Emissions Inspection On Newer Vehicles (Muhlestein, R.)  
  
 Short Title and Sponsor  
 SB0023 Driver License Amendments (Steele, D.)  
 SB0024S1 Appropriation For Forestry Extension Services (Myrin, A.)  
 ✓ SB0025 Sentencing Guidelines (Hillyard, L.)  
 SB0026 Sales Tax Option for Counties (Mansell, L.)  
 ✓ SB0028 District Court Judge Increase (Hillyard, L.)  
 SB0029 Sales Tax Exemption for Scrap Recyclers (Buhler, D.)  
 • SB0031 Cellular Phone Fraud (Howell, S.)  
 SB0032 Voter Registration Information in High Schools (Evans, R.)  
 • SB0033S1 Child Visitation Guidelines (Evans, R.)  
 SB0034 Agricultural Amendments (Blackham, L.)  
 SB0035 Department of Agriculture and Food - Name Change (Blackham, L.)  
 SB0036 Income Tax - Energy Savings Tax Credit Extension (Evans, R.)  
 SB0040 State School Board Election Procedures (Nielson, H.)  
 SB0041 Coal Tax Credit (Dmitrich, M.)  
 • SB0043 Prohibition Of Ultimate Fighting (Poulton, L.)  
 SB0046 Physician Assistant Practice Act Amendments (Steiner, R.)  
 SB0048 Appropriation for Restoration of Brigham Young Academy (Nielson, H.)  
 SB0049S3 Second Hand Smoke Amendments (Beattie, L.)  
 SB0050 Sales Tax Refund On Donated Food (Stephenson, H.)  
 SB0051 Medical Advisory Board Waivers (Mayne, E.)  
 SB0052 Watercraft - Liability Insurance (Tanner, N.)  
 • SB0054 Drug Dealer's Liability Act (Taylor, C.)

SB0055S2 Publication Of Legal Notices By Political Subdivisions (Mayne, E.)  
 .SB0056 School Bus Parking Zones (Mayne, E.)  
 SB0057S1 State Motor Vehicle Fleet Operations Amendments (Mantes, G.)  
 SB0060S2 Open Enrollment Amendments (Mantes, G.)  
 .SB0064 Welfare Reform Amendments To Child Support (Tanner, N.)  
 SB0069 Real Estate Agent Background Check (Waddoups, M.)  
 SB0070S1 Eminent Domain Valuation (Suazo, P.)  
 .SB0071 Landlord - Tenant Amendments (Montgomery, R.)  
 SB0072 Division Of State History Duties (McAllister, L.)  
 SB0073 Contractor's Duties to Subcontractors (Mansell, L.)  
 .SB0074S1 Indigent Defense Provisions (Blackham, L.)  
 SB0075 Safe Drinking Water Act Amendments (Holmgren, J.)  
 SB0077 School and Institutional Trust Lands Amendments (Steele, D.)  
 SB0078S1 Election Law - Political Parties (Suazo, P.)  
 SB0079S1 Election Law - Election Process (Evans, R.)  
 .SB0080 Child Support Advisory Committee Membership (Taylor, C.)  
 SB0081S5 Election Law - Campaign Finance Reporting Requirements (Buhler, D.)  
 SB0082S1 Election Law - Candidate Issues (Poulton, L.)  
 ✓SB0083 Judges Noncontributory Retirement System (Peterson, C.)

#### Short Title and Sponsor

SB0084 Public Transit District Boards (Mansell, L.)  
 SB0085 Public Safety Eligibility Amendments (Montgomery, R.)  
 SB0086 Housing Authority Amendments (Suazo, P.)  
 SB0087 Adjustment in Certified Rate on Property Tax (Stephenson, H.)  
 SB0088 Budgetary Process - Revenue Reporting (Stephenson, H.)  
 ✓SB0089 Juvenile Judges - Short Term Commitment of Youth (Tanner, N.)  
 ✓SB0090 Juvenile Court Powers (Tanner, N.)  
 SB0092 Telecommunications Deregulation Amendments (Steele, D.)  
 SB0093 Native American Coordinating Board (Peterson, M.)  
 .SB0094 Information Technology Amendments (Steele, D.)  
 .SB0095S1 Amendment To Procurement Requirements For Construction Projects (Buhler, D.)  
 SB0096 City Authority over Certain Rental Units (Buhler, D.)  
 SB0098 Counties - Subdivision Defined (McAllister, L.)  
 SB0100 Financial Institution Amendments (Mansell, L.)  
 SB0102 Western Interstate Commission for Higher Education Amendments (Hillyard, L.)  
 SB0103 Consumer Protection Amendments (Buhler, D.)  
 SB0104 State Risk Management Coverage of Teachers (Poulton, L.)  
 SB0105S1 Eccles Community Art Center Grant (Tanner, N.)  
 SB0107 Medical Savings Account Amendments (Mantes, G.)  
 SB0110 Workers' Compensation Exclusive Remedy (Buhler, D.)  
 .SB0112S1 Dramshop Liability Amendments (Buhler, D.)  
 SB0113 Legislative Oversight and Sunset Review Amendments (Blackham, L.)  
 SB0114 Commercial Project Entities (Blackham, L.)  
 SB0115S1 Insurance Law Amendments (Poulton, L.)  
 .SB0116 Extension of Child Visitation Pilot Program (Peterson, M.)  
 SB0117 Commercial Vehicle Registration (Steele, D.)  
 SB0118 Validity of Credentials in Public Education (McAllister, L.)  
 SB0119 Transportation Overhead Rate Limitations (Holmgren, J.)  
 .SB0121S2 Recording Judgments On Real Property (Mansell, L.)  
 SB0122 Health Policy Commission Amendments (Stephenson, H.)  
 SB0123 Water Conservancy District - Board of Directors (Dmitrich, M.)  
 SB0124 Task Force on Regulatory Barriers to Affordable Housing (Mansell, L.)  
 SB0126 Appropriation for Hill Air Force Base Heritage Museum (Montgomery, R.)  
 .SB0127 Constitutional Revision Commission Amendments (Dmitrich, M.)  
 .SB0128S1 Off-highway Vehicle Operator Requirements (Holmgren, J.)  
 .SB0129S1 Privileged Information In Civil Actions (Suazo, P.)  
 .SB0132 Definition of Law Enforcement Official and Judge (Hillyard, L.)  
 .SB0133S1 Appeals Amendments (Peterson, C.)  
 .SB0134S1 Juvenile Court Recodification - Phase 2 (Hillyard, L.)  
 SB0137 Special Education Dispute Resolution (Steele, D.)  
 SB0138S1 Used Oil Act Amendments (McAllister, L.)

#### Short Title and Sponsor

SB0139S1 Clean Burning Stove Tax Credit Amendments (McAllister, L.)

SB0140 Appropriation for Domestic Violence Shelters (Evans, R.)  
 •SB0141 State And Federal Law Enforcement-joint Jurisdiction (Steele, D.)  
 SB0142 Coal Reclamation Amendments (Dmitrich, M.)  
 •SB0143 Penalty for Joy Riding (Suazo, P.)  
 •SB0144 Electronic Law Library (Hillyard, L.)  
 SB0146S1 Reauthorization Of Administrative Rules (McAllister, L.)  
 SB0147 Vehicle Air Bag Amendments (Mantes, G.)  
 •SB0148 Revocation Of Parole - Representation By Counsel (Peterson, C.)  
 SB0150 Conduct Related To School Activities (Stephenson, H.)  
 SB0151 Bear River Development Act Amendments (Holmgren, J.)  
 •SB0152S1 Crime Victims' Rights Amendments (Peterson, C.)  
 SB0153 Appropriation To Study Centralized Urban Programs For Native Americans (Su  
 Changes To Division Of State History (McAllister, L.)  
 ✓SB0155 Court Reporter Amendments (Peterson, C.)  
 SB0159 Protective Service Officers Amendments (Beattie, L.)  
 SB0161S1 Motor Vehicle Compliance With Insurance, Registration, And Sales Tax Require  
 SB0162 Appropriation For Statewide Integration Of Engineering Education (Peterson  
 SB0163 Uniform Commercial Code Article 5 - Letters Of Credit (Hillyard, L.)  
 SB0164 Utah State Capitol Building Centennial Study (Tanner, N.)  
 SB0165 Management Of Institutional Funds Act (Hillyard, L.)  
 SB0166S1 Workforce Services And Labor Commission Implementation And Amendments (Buh  
 SB0167 Executive Compensation (Peterson, C.)  
 SB0171 Homeowner's Insurance (Peterson, M.)  
 SB0174 Medical Assistance Act - Spousal Impoverishment (Howell, S.)  
 SB0175S1 State Transportation Infrastructure Bank (Waddoups, M.)  
 SB0180 Merchant Or Service Provider Charge For Dishonored Checks (Holmgren, J.)  
 SB0182 Children's Justice Center Program (Peterson, C.)  
 SB0184 Sales Tax - Telephone Exemption (Hillyard, L.)  
 SB0186 Property Tax - Real And Personal Property Assessment Amendments (Dmitrich,  
 SB0188 Insurance Deductible For Motor Vehicle Repair (Howell, S.)  
 SB0190 Voluntary Release Cleanup Program (Mansell, L.)  
 •SB0194 Substance Abuse Counselor Licensure Amendments (Montgomery, R.)  
 SB0195S1 Waste Disposal Fee Amendment (Holmgren, J.)  
 •SB0197S1 Judicial Nominating Commission Amendment (Taylor, C.)  
 SB0198S1 Appropriation For Study Of Facility For Children's Museum Of Utah (Suazo,  
 SB0200 Nightly Rental Property Managers (Myrin, A.)  
 SB0201 Appropriation For Biotech Program At Utah State University (Blackham, L.)  
 •SB0202 Procurement Code - Design Build Amendments (Beattie, L.)  
 SB0203S1 Agricultural Protection Area Amendments (Blackham, L.)  
 SB0204 Centennial License Plate Amendments (Hull, J.)

# Short Title and Sponsor

SB0207 New Motor Vehicle Broker (Peterson, C.)  
 SB0208 Motor Carrier Pilot Program (Waddoups, M.)  
 SB0210S1 Growth Impact Highways (Blackham, L.)  
 SB0214 Fees On Sale Of Factory Built Housing (Hillyard, L.)  
 SB0217 Residential Facilities For Persons With A Disability (Muhlestein, R.)  
 SB0219 Privilege Tax Amendments (Hillyard, L.)  
 SB0221 County Officers - Official Bond (Hillyard, L.)  
 SB0223 Environmental Law Amendments (Holmgren, J.)  
 SB0236 State Fish Amendments (Suazo, P.)  
 SB0239 Amendments To Ethics Law (Buhler, D.)  
 SB0240 Rocky Mountain Presidential Primary Task Force Appointments (Beattie, L.)  
 SB0243 Bonds For Highway Funding (Hillyard, L.)  
 SB0247S1 Supplemental Appropriations Act II (McAllister, L.)  
 SB0249 Reorganization Of Department Of Administrative Services (Mantes, G.)  
 SB0250 Department Of Corrections - Emergency Release (Hillyard, L.)  
 SB0252S1 Collection Of Fuel Tax (Stephenson, H.)  
 SB0253S1 Sales Tax Reduction, Fuel Taxes, And Repeal Of Environmental Surcharge On Pe  
 SCR001 Resolution Integrating Utah Tomorrow Principles (McAllister, L.)  
 SCR002 Utah Tomorrow Resolution (McAllister, L.)  
 SCR003 Resolution Designating Bone Marrow Registration Day (Peterson, M.)  
 SCR004 Resolution Encouraging Economic Resettlement Of Rural Utah (Blackham, L.)  
 SJR001 Resolution Amending Legislator Eligibility Standards (Beattie, L.)  
 SJR002 Resolution Urging Congressional Facilitation Of Health Care Products (Beat

SJR003	Resolution Encouraging Shortening Daylight Savings Period	(Mayne, E.)
SJR004	Public School Snow Days Resolution	(Howell, S.)
SJR005	Resolution On Republic Of China On Taiwan	(Peterson, C.)
SJR007	Joint Rules Resolution - Amending Legislative Procedures	(Holmgren, J.)
SJR009	Joint Rules Resolution - Changes To Bill And Appropriation Process	(Beatti
SJR010	Resolution Urging Reevaluation of Centrally Assessed Telecommunications Prov	
SJR011	Olympic Facilities Repayment Resolution	(Myrin, A.)
SJR012	Resolution On Ozone And Particulate Matter	(Dmitrich, M.)
SJR014	Resolution Amending Rule Of Evidence	(Holmgren, J.)
SR0001	Senate Rules Resolution - Introducing Bills	(Beattie, L.)
SR0002	Senate Rules Resolution - Motions To Circle	(Peterson, M.)
SR0003	Senate Rules Resolution - Quorum Committee	(Holmgren, J.)
Total Bills Passed		441