

**JUDICIAL COUNCIL
MINUTES**

Friday
May 29, 1998

Site Visit
Fourth District Court
Wasatch County Courthouse
1361 South, Highway 40
Heber City, Utah

Members Present:

Chief Justice Richard C. Howe
Hon. Stephen A. Van Dyke
Hon. Kent Nielsen
Hon. John Sandberg
Hon. A. Schofield
Hon. Kay A. Lindsay
Hon. R. Braithwaite
Hon. Michael K. Burton
Hon. Pamela T. Greenwood
Hon. Leonard H. Russon
Hon. Michael Glasmann

Members Excused:

Hon. Anne M. Stirba
Hon. Stan Truman
James Jenkins, Esq.

Guests Present:

Paul Sheffield, Fourth District Court Executive
Carma Smith, Fourth District Court Clerk
Diane Burgener, Fourth District Assistant Clerk
Mike Spanos, Wasatch County Sheriff
Derrick Pullen, Victim Advocate

Fourth District Court, General Overview:

Paul Sheffield, Fourth District Court Executive, welcomed members of the Council and

Staff Present:

Myron K. March
Richard Schwermer
Cindy Williamson

Staff Excused:

Daniel J. Becker

staff to the Fourth District. The functions of the clerk's office in the Fourth District are divided into three separate divisions: a) criminal; b) civil and the c) municipal division. The philosophy of management staff in the Fourth District has been to promote a lot of cross-training, which staff has been more than willing to do. Mr. Sheffield reported that the Fourth District has taken approximately two years to complete implementation of consolidation.

The CORIS installation went well and Mr. Sheffield feels that the system is manageable. Staff in the Fourth District went into CORIS training with a very positive attitude. However, the system is slow and clerks are now required to enter additional information on the computer with CORIS. Mr. Sheffield indicated that the district is in need of additional clerks and that right now the clerks are over worked. Carma B. Smith, Clerk of Court, indicated that she is concerned about the lack of experienced clerks in the district. The experienced clerks are leaving their positions with the courts for other jobs with higher salaries. Mr. Sheffield highlighted some accomplishments in the Fourth District, i.e., the installation of a video bail hearing system and court reporter pooling.

Judge Guy R. Burningham, Presiding Judge in the Fourth District, explained court consolidation in the district. Each judge within the district is assigned to a specific division and rotates on a regular basis every six months, with a three-month rotation in Wasatch from municipal division judges. Next, Judge Burningham sited case statistics in Juab County.

Wasatch County Update:

Diane Burgener, Assistant Clerk of Court in Wasatch County, stated that Wasatch County became a primary site in July of 1994. Prior to July of 1994, Wasatch County was a contract site and would reimburse the state for leased building space and employees. In the past, the clerk position was that of a clerk-auditor and the duties were more varied. Ms. Burgener said the transfer of the clerk's office from county jurisdiction to the state was a good decision. Ms. Burgener and Sheriff Spanos both expressed their pleasure with the new courts building and compared contrasts between it and the old courthouse.

Sheriff Spanos indicated that Wasatch County encompasses 1400 square miles and has 12,000 residents with approximately 3 million visitors to the County a year. The Sheriff's Office employs nine full time deputies. Sheriff Spanos indicated that he is concerned about courtroom security and takes additional time to train his deputies in bailiff services. Following the presentation by Ms. Burgener and Sheriff Spanos, Sheriff Spanos lead a guided tour through the new Wasatch County facility.

Derrick Pullman, Wasatch County Deputy Attorney, indicated that prosecuting in a small community has its challenges. Residents of the community all know one another and it is difficult to call jurors and witnesses in certain cases. Mr. Pullman stated that the judiciary in Utah has reinforced his belief in the justice system. The County Attorney's Office in Wasatch County employees three individuals and in 1996 the office obtained federal funding to hire a

Victim Advocate, Lynn Robertson. Ms. Robertson carries a pager and is on call 24 hours a day. As a Victim Advocate, Ms. Robertson is the liaison between the police, prosecuting attorney, courts and the victim.

Site Visit-Summit County:

Gordon Bisseger and representatives from Summit County led Council members on a site visit of the new Summit County Facility.

Adjourned:

There being no further business, Chief Justice Howe adjourned the meeting.