

1 **Rule 3-303. Justice court ~~clerks~~ staff and local government employees serving in the**  
2 **justice courts.**

3 **Intent:**

4 To provide for ~~clerical services~~ court staff who, under the direction of the justice court judge, are  
5 primarily responsible for operating the in-justice courts, and to establish uniform responsibilities  
6 for justice court clerks ~~a process for deputizing local government employees who may assist the~~  
7 justice courts on a limited basis, and to provide access to financial data for counties and  
8 municipalities that operate a justice court.

9 **Applicability:**

10 This rule ~~shall~~ applies to all justice courts.

11 **Statement of the Rule:**

12 (1) Counties and municipalities are responsible for bearing the expense of providing staff to the  
13 justice courts located within their jurisdictions. Such services shall ~~must~~ be provided by no fewer  
14 than the number of FTEs required by the Judicial Council's certification standards. Additional  
15 support may be provided as set forth in Section 3 below.

16 **(2) Court Staff.**

17 (2)(A) Clerks ~~Staff shall~~ must be provided to each justice court to assist the judge in  
18 managing the operation of the courts. ~~The clerk~~ Staff shall ~~will~~ have primary  
19 responsibility for performing ~~clerical~~ the following duties ~~including~~:

20 (42)(A)(i) recordkeeping;

21 (42)(B)(ii) filing reports;

22 (42)(C)(iii) scheduling hearings and trials;

23 (42)(D)(iv) mailing notices;

24 (42)(E)(v) maintaining case files;

25 (42)(F)(vi) collecting fines;

26 (42)(G)(vii) docketing cases;

27 (42)(H)(viii) taking and certifying acknowledgments and administering oaths; and

28 (42)(I)(ix) other court-~~r~~-related duties as assigned.

29 (2)(B) The judge ~~shall~~ must concur in the appointment of ~~the clerk~~ all court staff assigned  
30 to serve the court and ~~shall~~ may participate in the personnel evaluation process for ~~that~~  
31 clerk ~~court~~ staff, at the judge's discretion.

32 **(3) Local Government Employees.**

33 **(3)(A) Deputized Employees.**

34 (3)(A)(i) In addition to the staff described in Section (2) above, a justice court  
35 judge with fewer than three full-time staff may, with the concurrence of the local

36 government executive and the Board of Justice Court Judges, deputize up to four  
37 local government employees to perform certain court-related duties on a limited  
38 basis. The Board of Justice Court Judges may authorize exceptions to this  
39 section upon request by the applicable justice court judge.

40 (3)(A)(ii) The responsibilities and authority of deputized local government  
41 employees shall must be detailed in a standing order signed by the judge and  
42 provided to the local government executive and the Administrative Office of the  
43 Courts.

44 (3)(A)(iii) Deputized employees shall must be supervised by court staff in the  
45 performance of court-related duties, but not for the performance of duties  
46 unrelated to the court.

47 (3)(A)(iv) Counties and municipalities shall must cover the annual cost of the  
48 following for each deputized employee:

49 (3)(A)(iv)(a) an email account on the utcourts.gov domain, and

50 (3)(A)(iv)(b) any training that may be required by the Board of Justice  
51 Court Judges.

52 (3)(B) **Read-only Employees.** In addition to the court staff and the deputized employees  
53 described above, cities and counties may involve other employees in the justice court to  
54 the extent that financial reports need to be reviewed and reconciled. Such employees  
55 will be granted read-only access to review certain reports in CORIS once they have  
56 completed the training required by the Board of Justice Court Judges, signed a  
57 Memorandum of Understanding and submitted the same to the Administrative Office of  
58 the Courts.

59 ~~(34) If the clerk is~~ No court staff or deputized local government employee serving the court in a  
60 part-time capacity, the clerk shall will not be assigned to other duties which present a conflict of  
61 interest or promote an appearance of impropriety regarding court responsibilities. Both court  
62 staff and deputized employees shall must adhere to separation of duties requirements set forth  
63 in Section 01-06.00 of the Courts' Accounting Manual.

64 ~~(4) Counties and municipalities are responsible for bearing the expense of providing clerical~~  
65 ~~services to the justice courts located within their jurisdictions.~~

66 (5) Court staff and deputized employees shall must take an oath that requires them to solemnly  
67 swear and promise to support, obey and defend the Constitution of the United States of America  
68 and the Constitution of the State of Utah, and to discharge the duties of their office with fidelity  
69 to the best of their ability. The oath shall must be administered by the judge and be recorded on  
70 a form provided by the AOC. A copy of the form must be provided to the Administrative Office of  
71 the Courts within one week following an employee's first day with the court.

72 ~~(56) Each clerk-Court staff and local government employees who have been deputized pursuant~~  
73 ~~to Section 3(A) above shall must~~ be certified on an annual basis for the six months ending June  
74 30 and December 31 each year (each, a "certification period") by demonstrating proficiency with  
75 the training required by the Board of Justice Court Judges. The Board may consider a judge's  
76 request to waive one or more courses or extend a certification deadline for good cause.

77 provided the request is received at least three weeks prior to the end of the applicable  
78 certification period. At the end of each certification period, access to CORIS shall will be  
79 suspended for court staff and local government employees who are not current with training  
80 requirements and who did not receive an extension from the Board. Access to CORIS shall will  
81 be restored once any such user is current with the Board's requirements.

82 *Effective: ~~4~~5/1/202~~5~~2*