



South Salt Lake City Council Work Meeting Agenda

Public notice is hereby given that the **South Salt Lake City Council** will hold a Work Meeting on **Wednesday, November 15, 2023** in the City Council Chambers, 220 East Morris Avenue, Suite 200, commencing at **6:45 p.m.**, or as soon thereafter as possible.

To watch the meeting live click the link below to join:

<https://zoom.us/j/93438486912>

Watch recorded City Council meetings at: [youtube.com/@SouthSaltLakeCity](https://www.youtube.com/@SouthSaltLakeCity)

Conducting: Council Chair Bynum

MATTERS FOR DISCUSSION:

1. A Resolution of the South Salt Lake City Council Requesting the Recertification of the South Salt Lake Justice Court Lisa Forrester
2. Council Rules Training Ariel Andrus

Adjourn

Posted November 9, 2023

Those needing auxiliary communicative aids or other services for this meeting should contact Ariel Andrus at 801-483-6019, giving at least 24 hours' notice.

In accordance with State Statute and Council Policy, one or more Council Members may be connected electronically.

Have a question or concern? Call the connect line 801-464-6757 or email connect@sslc.gov

CITY COUNCIL

MEMBERS:

LEANNE HUFF
COREY THOMAS
SHARLA BYNUM
PORTIA MILA
PAUL SANCHEZ
NATALIE PINKNEY
CLARISSA WILLIAMS

ARIEL ANDRUS
CITY RECORDER
220 E MORRIS AVE
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RESOLUTION NO. R2023-_____

A RESOLUTION OF THE SOUTH SALT LAKE CITY COUNCIL REQUESTING THE
RECERTIFICATION OF THE SOUTH SALT LAKE JUSTICE COURT

WHEREAS, the provisions of Utah Code 78A-7-103(2) require that Justice Courts be recertified at the end of each four-year term; and

WHEREAS, the term of the present Justice Court shall expire on the 31st day of January 2024; and

WHEREAS, the Mayor and members of the South Salt Lake City Council have received an opinion letter from the South Salt Lake City Attorney setting forth the requirements for the operation of a Justice Court and feasibility of continuing to maintain the same, attached hereto as Exhibit A and incorporated by this reference; and

WHEREAS, the members of the South Salt Lake City Council have determined that it is in the best interests of South Salt Lake City to continue to provide for a Justice Court;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of South Salt Lake the following:

1. The South Salt Lake City Council hereby requests recertification of the South Salt Lake City Justice Court by the Justice Courts Standards Committee and the Utah Judicial Council.
2. The South Salt Lake City Council hereby affirms its willingness to continue to meet all requirements set forth by the Judicial Council for continued operation of the South Salt Lake City Justice Court for the next four-year term of court, except as to any requirements waived by the Utah Judicial Council.
3. This resolution shall take effect immediately upon passing.

(signatures appear on separate page)

(remainder of page left blank)

APPROVED AND ADOPTED by the South Salt Lake City Council, South Salt Lake, Utah, on this ____ day of _____, 2023.

BY THE CITY COUNCIL:

Sharla Bynum
Council Chair

City Council Vote as Recorded:

Bynum	_____
Huff	_____
Mila	_____
Pinkney	_____
Sanchez	_____
Thomas	_____
Williams	_____

ATTEST:

Ariel Andrus
City Recorder

EXHIBIT A

Letter from the South Salt Lake City
Attorney



To: Mayor Wood and the South Salt Lake City Council
From: Josh Collins City Attorney
RE: Justice Court Re-certification Opinion
Date: November 7, 2023

Mayor Wood and Members of the City Council,

The Justice Court Standards for Recertification found in Appendix B of the Utah Code of Judicial Administration (UCJA) requires that as part of the justice court recertification application process, the City Council receive a written legal opinion advising you of all requirements for the operation of a Justice Court and the feasibility of maintaining a Justice Court.

The state statutory requirements as outlined in UCJA Appendix B are as follows:

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 § 78A-7-213).
2. Each court shall be opened and judicial business shall be transacted every day as provided by law (Utah Code § 78A-7-213), 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 (Utah Code § 78A-7-213).
4. The judge and the clerk of the court shall attend the court at regularly scheduled times (Utah Code § 78A-7-213).
5. The entity operating the Justice Court shall provide and compensate a judge and clerical personnel to conduct the business of the court (Utah Code § 78A-7-206 and Section 78A-7-207).
6. The entity operating 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 (Utah Code § 78A-7-205 and 78A-7-103(1)(f)).
7. The entity operating a Justice Court shall assume the cost of travel and training expenses of clerical personnel at training sessions conducted by the Judicial Council (Utah Code § 78A-7-103).
8. The entity operating the Justice Court shall provide a sufficient staff of public prosecutors to attend the court and perform the duties of prosecution (Utah Code § 78A-7-103(1)(b)).
9. The entity operating the court shall provide adequate funding for attorneys where persons are indigent as provided by law (Utah Code § 78A-7-103(1)(c)).
10. The entity operating the court shall provide sufficient local law enforcement officers to attend court when required and provide security for the court (Utah Code § 78A-7-103).
11. Witnesses and jury fees as required by law shall be paid by the entity which creates the Court (Utah Code § 10-7-76, 78B-1-119, and 78B-1-122).
12. Any fine, surcharge, or assessment which is payable to the State shall be forwarded to the State as required by law (Utah Code § 78A-7-120 and 78A-7-121).

CITY
ATTORNEY'S
OFFICE

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CHERIE WOOD
MAYOR

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13. Every entity operating a court shall pay the judge of that court a fixed compensation within the range provided by statute (Utah Code § 78A-7-206).
14. Court shall be held within the jurisdiction of the court, except as provided by law (Utah Code § 78A-7-212).
15. The entity operating 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 (Utah Code § 78A-7-103).
16. All required reports and audits shall be filed as required by law or by rule of the Judicial Council pursuant to Utah Code § 78A-7-215.

In addition to those requirements which are directly imposed by statute, Utah Code § 78A-7-103 directs the Judicial Council to promulgate minimum requirements for the creation and certification of Justice Courts. Pursuant to statute, the Judicial Council has adopted in UCJA Appendix B (2)(A)-(2)(Q) the following minimum requirements:

1. A clerk shall be available for at least one hour each day that the court is required to be open and during court hearings, as required by the judge. These hours shall be posted on the court's website.
2. The judge shall be available to conduct court business as needed, performing all duties required and exercising ultimate responsibility for the administration of justice as an independent branch of government.
3. All court hearings shall be conducted in a designated courtroom, including remote transmission, as permitted by the Judicial Council, or in another location authorized by the Presiding Judge.
4. The minimum furnishings for a courtroom shall include: a desk and chair for the judge (on a riser at least six inches above the well), 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 at 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, as well as a judicial robe, a gavel, and necessary forms and supplies.
5. Office space for the judge and clerk shall be appropriate (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 for each clerk performing cashiering duties, a computer with word processing software, and access to a scanner and copy machine.
6. The court shall provide interpreters as required by Rule 3-306.04 of the Code of Judicial Administration.
7. The entity shall have at least one peace officer (which may be contracted).
8. A court security plan shall be submitted and approved as required by Rule 3-414 of the Code of Judicial Administration.

9. Each court shall have at least one computer with access to the internet, and appropriate software and security/encryption technology to allow for electronic reporting and access to Driver License Division and the Bureau of Criminal Identification, as defined by the reporting and retrieval standards promulgated by the Department of Public Safety.
10. Each court shall report required case disposition information to DLD, BCI and the Administrative Office of the Courts electronically, as described in number 9 above.
11. Clerks' education hours shall be reported to the AOC on an annual basis.
12. The appointment of the clerk(s) assigned to serve the court shall be subject to the judge's approval, who may participate in the interview and personnel evaluation process for the clerk(s) at his or her discretion.
13. Court staff shall be certified as contemplated by Rule 3-303 of the Code of Judicial Administration.
14. Any interlocal agreement relating to court operations, as amended to date, shall be provided to the Justice Court Administrator.
15. The court shall accept credit and debit cards through a system that integrates with CORIS.
16. The court shall have access to UCJIS.
17. An audio recording system shall maintain a digital recording of all court proceedings (Section 78A-7-103).
 - a. For Class I and Class II justice courts, the system must:
 - i. be a stand-alone unit that records and audibly plays back the recording;
 - ii. index, back-up and archive the recording and enable the record to be retrieved;
 - iii. have at least four recording channels;
 - iv. have a one-step "on" and "off" recording function;
 - v. have conference monitoring of recorded audio;
 - vi. have external record archiving from the unit with local access; and
 - vii. be capable of being integrated with the court's public address system.

In conjunction with the Justice Court Administrator, Lisa Forrester, I have reviewed the above requirements and am confident the City currently complies with all legal requirements and that the City is in the position to continue its compliance through the prospective term of the South Salt Lake Justice Court.

Sincerely,

Joshua T. Collins
City Attorney

CC: Lisa Forrester, South Salt Lake City Justice Court Administrator