

Justice Court Survey 2024

Intro

Justice Court Reform Survey

August, 2024

Conducted by the Utah League of Cities and Towns (ULCT) and the Utah Association of Counties (UAC) working group of the Justice Court Reform Task Force

Brief History Since their initial creation in 1989, Justice Courts have gone through several changes and reforms. In December 2019, in response to a 2018 Supreme Court Advisory Committee opinion that changes should be considered to the Utah Constitution to “pave the way for elimination of the appeal by de novo trial,” a Judiciary Task Force was created. This task force, created by the judiciary, was chaired by Judge Paul Farr and included membership from a broad range of stakeholders. The task force met from May 2020 to August 2021 with the primary goal of eliminating de novo appeals without a constitutional amendment. The Judiciary Task Force’s final report to the Supreme Court and the Utah Judicial Council included twenty-six recommendations in five categories. Based on this report, the Judicial Council came up with five potential options including: 1) do nothing, 2) fully implement the Task Force’s recommendations, 3) eliminate Justice Courts, 4) make Justice Courts “of-record,” and 5) take a gradual, phased approach with a vision. Much of the legislation impacting Justice Courts since this time has been based on advancing Justice Court reforms through a gradual, phased approach. In October 2022 the Judicial Council issued a memorandum stating its support of continuing efforts to work with the legislature on implementing reforms. The memorandum emphasized the Judicial Council’s interest in a gradual, phased approach knowing this would allow flexibility to shift different areas of the state to a reformed judicial structure when best for each area. In 2023 the state legislature created a Justice Court Reform Task Force which began meeting after the judiciary task force formulated its recommendations. Unless otherwise extended by the legislature, the task force will be dissolved in July 2025.

Current Situation

During the 2024 legislative session, Representative Nelson T. Abbott and Senator Kirk A. Cullimore sponsored HJR 1. This resolution, although not passed by both houses due to time constraints, expressed the Judiciary Interim Committee’s desires to support Justice Court reforms, support the proposal by the Justice Court Reform Task Force to bring cases from the Justice Courts into the state court system, and support of the legislature’s intent to implement reforms in phases by piloting Justice Court reform in two counties beginning in 2026. Currently the Task Force has established four working groups. Below is a brief description of each group’s objectives.

- Finance Group – analyze the revenues and costs associated with the anticipated reforms.
- Jurisdictional Group – analyze the impacts of the various offence types and caseloads.

- ULCT/UAC Group – better understand concerns from impacted cities and counties.
- Pilot County Group – analyze and explore potential pilot counties where reforms might be implemented and evaluated.

Survey Data Needed

To help the Justice Court Reform Task Force better understand the impacts of potential Justice Court reforms on cities and counties, this short survey has been developed. Your participation is greatly appreciated. Information gathered through this survey will be used to aid the task force in preparing recommendations for the 2025 legislative session.

All responses must be submitted by **September 6th, 2024**.

If you have any questions regarding this survey, please contact Matt Dixon, 801.622.2702 or mdixon@southogdencity.gov.

Q1 What is your position/title?

Q2 Please select your classification of city or county

- Class 1 City (100,000+ population) (1)
- Class 2 City (65,000 - 99,999 population) (2)
- Class 3 City (30,000 - 64,999 population) (3)
- Class 4 City (10,000 - 29,999 population) (4)
- Class 5 City (1,000 - 9,999 population) (5)
- Town (<1,000 population) (6)
- Class 1 County (1,000,000+ population) (7)
- Class 2 County (65,000 - 99,999 population) (8)
- Class 3 County (40,000 - 174,999 population) (9)
- Class 4 County (11,000 - 39,999 population) (10)
- Class 5 County (4,000 - 10,999 population) (11)
- Class 6 County (<4,000 population) (12)

Q3 What best describes your opinion related to the state moving **CLASS B AND C MISDEMEANORS (NON-INFRACTIONS)** out of Justice Courts to a new court system?

- Very opposed (1)
- Opposed (2)
- Uncertain (3)
- Supportive (4)
- Very supportive (5)

Q4 Explain the reason(s) for your response.

Q5 What best describes your opinion related to the state moving **SMALL CLAIMS CASES** out of Justice Courts to a new court system?

- Very opposed (1)
- Opposed (2)
- Uncertain (3)
- Supportive (4)
- Very supportive (5)

Q6 Explain the reason(s) for your response.

Q7 How interested are you in keeping Justice Courts the way they are now?

- Very uninterested (1)
- Uninterested (2)
- Uncertain (3)
- Interested (4)
- Very interested (5)

Q8 Please explain the reason(s) for your response

Q9 How interested are you in closing your Justice Court, regardless of possible state reforms?

- Very uninterested (1)
- Uninterested (2)
- Uncertain (3)
- Interested (4)
- Very interested (5)
- N/A - my municipality/county does not operate a justice court (6)

Q10 How would you rate your interest in Justice Courts remaining “as is” but with some consolidation (reducing and combining justice courts) in certain areas?

- Very uninterested (1)
- Uninterested (2)
- Uncertain (3)
- Interested (4)
- Very interested (5)

Q11 Please explain the reason(s) for your response

Q12 How much influence do fines and forfeiture revenues play in your opinion related to Justice Court reforms?

- No influence (1)
- Very low influence (6)
- Low influence (2)
- Medium influence (3)
- High influence (4)
- Very high influence (5)

Q13 Please explain the reason(s) for your response

Q14 Does your jurisdiction currently operate a justice court?

- Yes (1)
- No (2)

Q15 What challenges/barriers are you facing related to operating a Justice Court?

Q16 Why hasn't your jurisdiction created a Justice Court?

Q17 How interested would you be in creating a Justice Court within your jurisdiction?

Very uninterested (1)

Uninterested (2)

Uncertain (3)

Interested (4)

Very interested (5)

Q18 Please explain the reason(s) for your response

Q19 What concerns/issues/suggestions do you want the Justice Court Reform Task Force to consider?

Q20 OPTIONAL: What is your name?
