

THE CITY OF BLUFFDALE, UTAH

RESOLUTION NO. 2007-66

A RESOLUTION REQUESTING RE-CERTIFICATION OF THE BLUFFDALE CITY MUNICIPAL JUSTICE COURT

Whereas, the City has historically sponsored a Municipal Justice Court; and

Whereas, the City Council has determined the need and desirability to re-certify the Municipal Justice Court to the Utah Judicial Council, and so finds; and

Whereas, the City Council has received the written advice of the City Attorney concerning the requirements of the Utah statutes and administrative regulations of the Utah Judicial Council pertaining to the operation of the Municipal Justice Court and the feasibility of maintaining the Court; and

Whereas, the City Council has reviewed the re-certification application packet and the responses therein, and approves the same,

Now, therefore, the City Council of Bluffdale, Utah, resolves:

Section 1. The City Manager is authorized and directed to cause the re-certification application packet, with supporting materials, including this Resolution, the Court Certification Affidavit completed and signed by Judge Parkin, and the written opinion of the City Attorney, to be promptly forwarded to the Justice Courts Standards Committee of the Administrative Office of the Courts, and to cooperate with the Committee with any subsequent requests for information. Bluffdale City affirms that the City is willing to meet all requirements for the operation of the Municipal Justice Court during the period of certification.

Section 2. This Resolution is effective immediately.

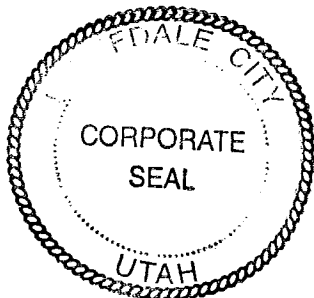
Adopted by the City Council of Bluffdale, Utah, this 9th day of October, 2007.

Claudia Anderson
CLAUDIA ANDERSON
Mayor

ATTEST:

Teddie K. Bell
TEDDIE K BELL
City Recorder

Voting by the City Council:



Councilmember Briggs
Councilmember Kelley
Councilmember Lord
Councilmember Maxwell
Councilmember Speed

Aye	Nay
<u> x </u>	<u> </u>
<u> x </u>	<u> </u>
<u>Absent</u>	<u> </u>
<u> x </u>	<u> </u>
<u> x </u>	<u> </u>



COURT CERTIFICATION AFFIDAVIT

Court Location: 14175 S. Redwood Rd. Bluffdale, Utah. 84065

Judge: Reed S. Parkin

Address: 14175 S. Redwood Rd. Bluffdale, Utah 84065

Telephone: 801-254-2200

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

Average Case Filings Per Month: 80

Daily Court Hours: 8-5

Number of Full-time Clerks: 1
Hours Worked Per Week Per Clerk: 40

Number of Part-time Clerks: 1
Hours Worked Per Week Per Clerk: 20

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 Judge Reed S. Parkin,

Justice Court Judge for Bluffdale City

_____ and,

except as specifically noted below, certifies as follows:

SECTION I

**THE FOLLOWING 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. All official court business is conducted in a public facility. Yes
2. Court is open daily. Yes
3. The hours of court operation are posted conspicuously. Yes
4. The judge and the clerk attend court at regularly scheduled times based on the level of the court. Yes
5. The judge is compensated at a fixed rate. Yes
6. The responsible governmental entity provides and compensates sufficient clerical personnel necessary to conduct the business of the court. Yes
7. The responsible governmental entity assumes the expenses of the travel of the judge for purposes of required judicial education. Yes
8. The responsible governmental entity assumes 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 provides 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
 - f. Copies 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 materials Yes

10. Fines, surcharges and assessments which are payable to the state are forwarded as required by law. Yes
11. Court is held within the jurisdiction of the court, except as provided by law (78-5-107).
Yes
12. All required reports and audits are filed as required by law or Rule of the Judicial Council.
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. Court is open each day as appropriate for the classification of the court. Yes
2. The judge is available to attend court and to conduct court business as needed. Yes
3. Minimum furnishings in the courtroom include:
 - 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 as required by the classification of the court, are present during the time court is open each day and as needed during court sessions. Yes
 5. Does the applicant have a law enforcement department? No
 6. If the applicant does not have a law enforcement department, identify the law enforcement agency which will provide law enforcement services for the applicant: _____
Salt Lake County Sheriff's Office
 7. A security plan has been filed consistent with C.J.A. Rule 3-414. Yes
 8. The court electronically reports to the Driver License Division, the Bureau of Criminal Identification and the Administrative Office of the Courts as required. Yes
 9. If the court is a **Class I** court:
 - a. Judge is employed on a full-time basis _____
 - b. Dedicated courtroom which meets the master plan guidelines adopted by the Judicial Council _____
 - c. Court has a jury deliberation room _____
 - d. Judge's chambers, clerk's office, and courtroom are in the same building _____
 - e. Judge has his or her own private chambers _____
 - f. Clerk's office is separate from any other entity _____

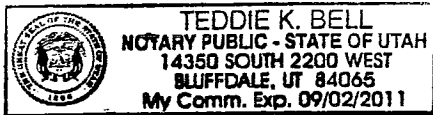
- g. Court is open during normal business hours _____
10. If the court is a **Class II** court:
- a. Court is open (check one)
- _____ 1. 201-300 average monthly filings: at least 4 hrs./day
 _____ 2. 301-400 average monthly filings: at least 5 hrs./day
 _____ 3. 401-500 average monthly filings: at least 6 hrs./day
- b. Trial calendar is set at least weekly _____
- c. Courtroom configuration is permanent _____
- d. Courtroom, judge's chambers, and clerk's office are within the same building _____
- e. Judge has his or her own private chambers _____
11. If the court is a **Class III** court:
- a. Trial calendar is set at least every other week Yes _____
- b. Court is opened (check one):
- X 1. 61-150 average monthly filings: at least 2 hrs./day
 _____ 2. 151-200 average monthly filings: at least 3 hrs./day
12. If the court is a **Class IV** court:
- a. Trial calendar is set at least monthly _____
- b. Court is open at least 1 hour per day _____
13. **If you have responded with a "no" to any item in Section II above, you must request a waiver or extension below and justify that request.** 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 requested extension period. (To receive a waiver or extension of any requirement, the information requested in this section must be provided. Remember that statutory requirements cannot be waived or extended).

I am familiar with the minimum operational standards for this court, and except as noted above, those standards are currently met or exceeded. During the current term of the court, I have met with the appropriate governing body of the City to review the budget of the court, review compliance with the minimum requirements and operational standards, and discuss other items of common concern.

DATED this 1 day of OCTOBER, 2007.

Rand Stuber
Justice Court Judge

SUBSCRIBED AND SWORN to before me this 1 day of October, 2007.



Teddie K. Bell
NOTARY PUBLIC

Residing at: Bluffdale, Utah

Commission Expires:

9-2-11