

**JUDICIAL RETENTION FOR JUSTICE COURT JUDGES**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: V. Lowry Snow**

Senate Sponsor: \_\_\_\_\_

---

---

**LONG TITLE**

**General Description:**

This bill modifies the authority to reduce workforce in a justice court in certain circumstances.

**Highlighted Provisions:**

This bill:

▶ expands to all counties existing authority to initiate a reduction in workforce in a justice court in certain circumstances.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**78A-7-203**, as last amended by Laws of Utah 2019, Chapter 429

---

---

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **78A-7-203** is amended to read:

**78A-7-203. Term of office for justice court judge -- Retention -- Reduction in force.**

(1) The term of a justice court judge is six years beginning the first Monday in January



28 following the date of election.

29 (2) Upon the expiration of a justice court judge's term of office, the judge shall be  
30 subject to an unopposed retention election in accordance with the procedures set forth in  
31 Section [20A-12-201](#):

32 (a) in the county or counties in which the court to which the judge is appointed is  
33 located if the judge is a county justice court judge or a municipal justice court judge in a town  
34 or city of the fourth or fifth class; or

35 (b) in the municipality in which the court to which the judge is appointed is located if  
36 the judge is a municipal justice court judge and Subsection (2)(a) does not apply.

37 (3) Before each retention election, each justice court judge shall be evaluated in  
38 accordance with the performance evaluation program established in Chapter 12, Judicial  
39 Performance Evaluation Commission Act.

40 (4) A political subdivision in a county [~~of the first or second class~~] that has more than  
41 one justice court judge and the weighted caseload per judge is lower than 0.60 as determined  
42 by the Administrative Office of the Courts may, at the political subdivision's discretion and at  
43 the end of a judge's term of office, initiate a reduction in force and reduce, lay off, terminate, or  
44 eliminate a judge's position [~~pursuant to~~] in accordance with the political subdivision's  
45 employment policies.

46 (5) A political subdivision in a county of the first or second class may only add a new  
47 justice court judge position if the Judicial Council, after considering the caseload of the court,  
48 approves creation of the position.