

**JUSTICE COURT JUDGE COMPENSATION**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jon Cox**

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

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**LONG TITLE**

**General Description:**

This bill amends sections governing justice court judge compensation.

**Highlighted Provisions:**

This bill:

▶ exempts county governing bodies of the fourth, fifth, and sixth class and counties with a population not exceeding 75,000 from certain statutory justice court judge compensation requirements governing political subdivisions.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**78A-7-206**, as last amended by Laws of Utah 2012, Chapter 205

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

Section 1. Section **78A-7-206** is amended to read:

**78A-7-206. Determination of compensation and limits -- Salary survey -- Limits on secondary employment -- Exemption -- Prohibition on holding political or elected office -- Penalties.**



28 (1) Every justice court judge shall be paid a fixed compensation determined by the  
29 governing body of the respective municipality or county.

30 (a) The governing body of the municipality or county may not set a full-time justice  
31 court judge's salary at less than 50% nor more than 90% of a district court judge's salary.

32 (b) The governing body of the municipality or county shall set a part-time justice court  
33 judge's salary as follows:

34 (i) The governing body shall first determine the full-time salary range outlined in  
35 Subsection (1)(a).

36 (ii) The caseload of a part-time judge shall be determined by the office of the state  
37 court administrator and expressed as a percentage of the caseload of a full-time judge.

38 (iii) The judge's salary shall then be determined by applying the percentage determined  
39 in Subsection (1)(b)(ii) against the salary range determined in Subsection (1)(a).

40 (c) A justice court judge shall receive an annual salary adjustment at least equal to the  
41 average salary adjustment for all county or municipal employees for the jurisdiction served by  
42 the judge.

43 (d) Notwithstanding Subsection (1)(c), a justice court judge may not receive a salary  
44 greater than 90% of the salary of a district court judge.

45 (e) A justice court judge employed by more than one entity as a justice court judge,  
46 may not receive a total salary for service as a justice court judge greater than the salary of a  
47 district court judge.

48 (f) A governing body of a political subdivision of counties of the fourth, fifth, and sixth  
49 class and counties of the third class with a population not exceeding 75,000:

50 (i) are exempt from Subsections (1)(a) and (d); and

51 (ii) may determine justice court judge compensation by a majority vote of the  
52 governing body.

53 (2) A justice court judge may not appear as an attorney in any:

54 (a) justice court;

55 (b) criminal matter in any federal, state, or local court; or

56 (c) juvenile court case involving conduct which would be criminal if committed by an  
57 adult.

58 (3) A justice court judge may not hold any office or employment including contracting

59 for services in any justice agency of state government or any political subdivision of the state  
60 including law enforcement, prosecution, criminal defense, corrections, or court employment.

61 (4) A justice court judge may not hold any office in any political party or organization  
62 engaged in any political activity or serve as an elected official in state government or any  
63 political subdivision of the state.

64 (5) A justice court judge may not own or be employed by any business entity which  
65 regularly litigates in small claims court.

66 (6) The Judicial Council shall file a formal complaint with the Judicial Conduct  
67 Commission for each violation of this section.

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**Legislative Review Note**  
**as of 2-5-15 6:27 PM**

**Office of Legislative Research and General Counsel**