

IN THE SALT LAKE CITY JUSTICE COURT OF SALT LAKE COUNTY
IN AND FOR THE STATE OF UTAH

In Re: :
COURT OPERATIONS UNDER THE EXIGENT : STANDING ORDER NO. 10-4
CIRCUMSTANCES CREATED BY COVID-19 :
 : (Replacing 10-3)
 :
 :
 : PRESIDING JUDGE
 : CLEMENS A. LANDAU

This Order implements the Administrative Order issued by the Utah Supreme Court on March 21, 2020 [Utah Pandemic Order]. The court has reviewed the Utah Pandemic Order, the Utah State Court’s Pandemic Influenza Response Plan, the Utah State Court’s Continuity of Operations Plan, as well as its own Continuity of Operations Plan, and hereby ORDERS as follows:

1. **Court Access.** The Salt Lake City Justice Court WILL REMAIN ACCESSIBLE to the public during regular business hours, and will continue to accept filings and be available to answer phone calls, emails, and other communications during business hours.
 - a. **Physical Access.** The doors of the courthouse will be open to the public from 8 a.m. until 11:30 a.m. However, pursuant to the Utah Pandemic Order, anyone who is either experiencing a fever, cough, or shortness of breath, or who has been exposed to someone experiencing those symptoms, will not be allowed to enter the courthouse. Further, the court will liberally grant continuances for anyone in an at-risk group identified by the CDC, including: (1) anyone over the age of 60; (2) anyone with diabetes or heart/lung disease; (3) anyone with a compromised immune system; and (4) anyone who is pregnant.
 - b. **Telephonic Access.** Court personnel will be answering our main number, (801) 535-6300, from 8:30 a.m. to 11:30 a.m. and again from 1 p.m. to 4 p.m. We thank you in advance for your patience if you experience longer than usual wait times.
 - c. **Email Access.** Court personnel will be responding to email (criminalsection@slcgov.com & smallclaims@slcgov.com) during regular business hours.

- d. Website Access. At all hours, parties are free to submit a “request to judge” using our website (www.slc.gov/courts/).
 - e. Dropbox Access. At all hours, parties are free to submit materials by placing them in one of the two lockboxes to the right of our front door.
2. **Contact Information Required**. To enable our transition to tele- and video-conferencing under the Utah Pandemic Order, anyone making a request of the court between March 23, 2020, and June 1, 2020, is required to include, IF AVAILABLE, their telephone number, current email address, and current mailing address.
3. **In-custody Defendants**. Pursuant to the Utah Pandemic Order, the court will continue to perform all mission-critical functions for in-custody defendants, including, but not limited to:
- a. Probable cause review of warrantless arrests,
 - b. Bail hearings,
 - c. Bench warrant hearings,
 - d. Arraignments,
 - e. Appearances mandated by statute, and
 - f. Sentencing hearings.

All hearings set for in-custody defendants between March 23, 2020, and June 1, 2020, will be re-set on video-conferencing calendars to minimize the risk to vulnerable populations, meaning all transports during that period are cancelled. The parties are directed to immediately inform the court if any in-custody defendants are being held by this court so the court can reconsider the defendant’s custody status. This process is intended to supplement the court’s ongoing review of its own records of in-custody defendants.

4. **Out-of-custody Defendants**. Absent exigent circumstances, all hearings set for out-of-custody defendants between March 23, 2020, and June 1, 2020, are CONTINUED. Exigent circumstances include:
- a. Domestic Violence arraignments. All arraignments in domestic violence matters will automatically be placed on our daily, 8:30 a.m. calendar.

- b. Domestic Violence cases with public safety concerns where an additional order and/or monitoring is requested. Upon filing of a request for hearing/notice to submit, the court will immediately set such matters on an upcoming 8:30 a.m. calendar.
 - c. DUI or Impaired Driving cases with public safety concerns where an additional order and/or monitoring is being requested. Upon filing of a request for hearing/notice to submit, the court will immediately set such matters on an upcoming 8:30 a.m. calendar.
 - d. By Stipulation. Upon stipulation of the parties, the court is willing to conduct any hearings with exigent circumstances via tele- or video-conference.
 - e. Party Barred or At-risk. If a party to a case with exigent circumstances is barred from entering the courthouse by the Utah Pandemic Order—or if they fall within one of the CDC’s at-risk categories and wish not to appear in person—that party is REQUIRED to make arrangements with the court to appear via tele- or video-conference at any hearing that has been scheduled pursuant to this paragraph.
5. **All Trials Continued.** All trials (jury and bench) set between March 23, 2020, and June 1, 2020, are HEREBY CONTINUED.
6. **All Self-Report Dates Continued.** All dates for individuals to self-report to the Salt Lake City Justice Court for jail between March 16, 2020, and June 1, 2020, are HEREBY CONTINUED.
7. **All Small Claims cases Continued.** All small claims cases set between March 16, 2020, and June 1, 2020, are HEREBY CONTINUED. Email us at smallclaims@slcgov.com if you have questions.
8. **Plea by Affidavits/Disposition Hearings.** The court encourages all parties to make liberal use of the plea by affidavit mechanism between March 23, 2020, and June 1, 2020, if they decide to resolve a case. Upon request, the court is willing to conduct disposition hearings by tele- or video-conference.
9. **Pre-trial Release.** All conditions of pre-trial release remain in effect. The court directs anyone wanting to adjust the conditions of pre-trial release between March 23, 2020, and June 1, 2020, to file a request with the court. Upon stipulation of the parties, the court is willing to conduct hearings on pre-trial release conditions by tele- or video-conference. If exigent circumstances

require an in-person hearing, the matter will be set on an 8:30 a.m. calendar.

10. **Sentencing Requirements Remain.** With the exception of Paragraph 6, above, all sentencing orders and plea-in-abeyance agreements remain in effect. The court will continue to monitor compliance with its orders. However, the court will alter its tracking practices as follows between March 23, 2020, and June 1, 2020:

- a. **No OSDC.** The court will not send any cases to the Office of State Debt between March 23, 2020, and June 1, 2020. Once the Utah Pandemic Order is no longer in effect, the court will issue standing orders granting reasonable extensions and/or setting review hearings in cases with overdue fines, fees, or community service in lieu of fines/fees.
- b. **OSC Hearings.** The court will continue to file order to show cause affidavits between March 23, 2020, and June 1, 2020, to preserve its jurisdiction. The court will not set any OSC hearings based on these affidavits at this time, unless they are specifically requested by a party and authorized by the Utah Pandemic Order. Once the Utah Pandemic Order is no longer in effect, the court will issue standing orders granting reasonable extensions and/or setting OSC hearings in these cases.
- c. **MADD VIP.** Any defendant who was sentenced or agreed to complete an In-Person Victim Impact Panel class (“MADD-VIP”) may fulfill that requirement by completing the class online. Online MADD-VIP classes can be found at www.online.maddvip.org, as well as other places.
- d. **Prime-for-Life.** Any defendant who was sentenced or agreed to complete an In-Person PRIME For Life class (“PFL”) may fulfill that requirement by completing an online equivalent, such as the myPRIME class offered by the Prevention Research Institute.
- e. **DV Assessment & Treatment.** Any defendant who was sentenced or who agreed to complete an In-Person domestic violence assessment and In-Person domestic violence treatment may fulfill that requirement by completing an online equivalent that follows

the approved Duluth Model standards.

11. Traffic School. All in-person traffic school sessions set between March 16, 2020, and June 1, 2020, are HEREBY CONTINUED. Once the Utah Pandemic Order is no longer in effect, the court will re-set these in-person sessions. Defendants may fulfill any traffic school requirements online at <https://www.slc.gov/courts/traffic-school/>.

12. Dress Code Suspended. Parties/attorneys are not required to appear in business attire for their in-person court appearances and should follow common-sense rules of decorum when appearing via video-conference.

13. The Utah Pandemic Order states that it may be amended at any time. The court will respond to such amendments as quickly as possible. In the meantime, the court encourages all of its partners and patrons to follow its social media accounts to obtain the latest news regarding the operations of the court during the pandemic:
 - a. facebook.com/saltlakejustice
 - b. twitter.com/saltlakejustice (aka @saltlakejustice)
 - c. instagram.com/saltlakejustice

Dated: March 22, 2020

BY THE COURT



Honorable Judge Clemens A. Landau