

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. 10-8
CIRCUMSTANCES CREATED BY COVID-19 : (Replacing Order No. 10-5,10-6)
:
: PRESIDING JUDGE
CLEMENS A. LANDAU

This Order is issued to update our standing orders in light of Utah Supreme Court’s recent Administrative Order, issued June 26, 2020 (“Utah Pandemic Order”). This order replaces Standing Order No. 10-5 and 10-6. The court’s operations continue to also be governed by the Utah State Court’s Pandemic Influenza Response Plan, the Utah State Court’s Continuity of Operations Plan, and this court’s own Continuity of Operations Plan. The following orders are to remain in place as long as the Judiciary keeps the Salt Lake City Justice Court (“SLCJC”) in the red risk phase.

1. **Court Access.** The Salt Lake City Justice Court WILL REMAIN ACCESSIBLE to the public during regular business hours during the red phase, and will continue to accept filings and be available to answer phone calls, emails, and other communications.
 - Physical Access. The courthouse will be open to the public every business day from 8:30 a.m. until 4 p.m.
 - Telephonic Access. Court personnel will be answering our main number, (801) 535-6300, every business day from 8:30 a.m. to 11:30 a.m. and 1 p.m. to 4 p.m.
 - Email Access. Court personnel will be responding to email (criminalsection@slcgov.com, traffic@slcgov.com, & smallclaims@slcgov.com) during regular business hours.
 - Website Access. During business hours, parties can use our website’s chat feature. (www.slc.gov/courts/). At all hours, parties are free to submit a “request to judge.” (<http://www.slcdocs.com/courts/criminal/forms/RTJ.pdf>.)

- Dropbox Access. At all hours, parties are free to submit materials by placing them in the lockbox to the right of the front door of the courthouse.
2. **Contact Information Required**. To enable our transition to tele- and video-conferencing, anyone making a request of the court is required to include, IF AVAILABLE, their telephone number, current email address, and current mailing address as well as their case number(s) and date of birth.
 3. **In-custody Defendants**. The court will continue to perform all mission-critical functions for in-custody defendants, including, but not limited to:
 - Probable cause review of warrantless arrests,
 - Bail hearings,
 - Bench warrant hearings,
 - Arraignments,
 - Appearances mandated by statute, and
 - Sentencing hearings.

During the red phase, all hearings set for in-custody defendants 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**.
 - **Exigent Circumstances Hearings**. All exigent circumstances hearings that cannot be accommodated by tele- or video-conference will be handled in-person on Wednesday mornings at 8:30 a.m. in Courtroom 1. No other in-person hearings will be conducted in the red phase.
 - **Arraignments**.
 - i. **Traffic**. Defendants who are issued a traffic citation during the red phase are ordered to pay or schedule an arraignment within 14 days of the date of the citation using this link:

<https://doodle.com/mm/saltlakejusticecourtarraignments/bookable-calendar>. You may pay by mail, in person or visit our website at www.slcgov.com/courts.

- ii. **Misdemeanor/Criminal**. Defendants who are issued a misdemeanor/criminal citation during the red phase are ordered to schedule an arraignment within 14 days of the date of the citation using this link:

<https://doodle.com/mm/saltlakejusticecourtarraignments/bookable-calendar>.

- **Courtrooms 1 & 5 (Judges Landau and Peters)**. Cases set for July 2020 are being cancelled and all defendants have been ordered to reschedule their hearings using this link: <https://doodle.com/mm/saltlakejusticecourt/bookable-calendar>.
- **Courtrooms 3 & 4 (Judges Robison and Magid)**. Cases set for July 2020 in these courtrooms will proceed as scheduled using the court's Webex video-conferencing platform.

Defendants who are unable to schedule their arraignments using the above links must file an objection with the court listing the defendant's name, case number, and the reason(s) why the defendant cannot appear remotely within 14 days of the date of the citation/order. Failure to comply with these orders may result in a warrant being issued for the defendant's arrest and/or the suspension of the defendant's driving privilege, although neither of these actions will be taken during the red phase unless the defendant's failure to comply is found to be willful.

5. **Trials**. No jury trials will be held during the red phase. Bench trials will only be conducted with the consent of all parties.
6. **All Self-Report Dates Continued**. All dates for individuals to self-report to the Salt Lake City Justice Court for jail are continued during the red phase unless a judge specifically orders otherwise.
7. **All Small Claims cases Continued**. All small claims cases are continued during the red phase.
8. **Pre-trial Release**. All conditions of pre-trial release remain in effect.

9. **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 during the red phase:

- **No OSDC.** The court will not send any cases to the Office of State Debt during the red phase. Instead, the court will set review hearings in cases with overdue fines, fees, or community service in lieu of fines/fees and/or grant reasonable extensions.
- **OSC Hearings.** The court will continue to file order to show cause affidavits during the red phase to preserve its jurisdiction, and set hearings on these cases.
- **MADD VIP.** Any defendant who was sentenced or agreed to complete an In-Person Victim Impact Panel class (“MADD-VIP”) may fulfill that requirement during the red phase by completing the class online. Online MADD-VIP classes can be found at www.online.maddvip.org, as well as other places.
- **Prime-for-Life.** Any defendant who was sentenced or agreed to complete an In-Person PRIME For Life class (“PFL”) may fulfill that requirement during the red phase by completing an online equivalent, such as the myPRIME class offered by the Prevention Research Institute.
- **Substance Abuse/DV Assessment & Treatment.** Any defendant who was sentenced to or who agreed to complete a substance abuse and/or dv assessment and treatment may fulfill that requirement during the red phase by completing an online equivalent from a Utah state-certified provider.

10. **Fix-It or Equipment Violations.** If you received a citation for a “fix it,” also known as an equipment violation, please take your vehicle to a local law enforcement officer to inspect for compliance. If you have brought your vehicle into compliance, the officer will sign off on the bottom of the citation. You must then mail the signed off citation to the court so it may be dismissed.

11. **Traffic School.** All in-person traffic school sessions are cancelled during the red phase. Defendants may fulfill any traffic school requirements online at <https://www.sl.c.gov/courts/traffic-school/>.

12. **Community Service in lieu of Fees/Fines.** All defendants are given the option of submitting community service hours in lieu of fine/fee payments during the red phase. Here are some additional community service opportunities related to the Covid-19 emergency:

- **Coronavirus.utah.gov.** Any of the volunteer opportunities available on the State of Utah's Covid-19 specific website. See <https://coronavirus.utah.gov/help/>.
- **Mutual Aid.** Any of the opportunities with the mutual aid organizations. See, e.g.:
 - i. <https://covid19mutualaidslc.com>;
 - ii. <https://www.nhelpingn.com/volunteer>;
 - iii. https://www.covidseniorshoppers.com/salt_lake_city.html.
- **Health Care Volunteers:** Any of the healthcare volunteer opportunities. See <https://userve.utah.gov/healthcare-volunteers/>. The following are especially needed:
 - i. MD/DO, PA,
 - ii. NP, RN, LPN, CNA,
 - iii. Paramedic, AEMT, EMT,
 - iv. Pharmacist, Pharmacy Technician,
 - v. Licensed Clinical Social Worker.
- **Personal Protective Equipment Volunteers.** Any of the opportunities to make masks, face shields, PPEs, and/or other critical supplies needed by the Covid-19 response. See, e.g., <https://projectprotect.health/#/>.
- **Volunteer with Shelter the Homeless.** See <https://homelessutah.org/volunteer/>.
- **Volunteer with the American Red Cross.** The Red Cross has an urgent need for volunteers, including opportunities to serve from home. See <https://www.redcross.org/volunteer/become-a-volunteer/urgent-need-for-volunteers.html>.

All of our requirements regarding the documentation and validation of these hours still apply. A sample documentation form is attached as Exhibit A. Defendants are free to seek-out other volunteer opportunities, but are encouraged to contact the court before starting their project to confirm that the hours will qualify for community service credit.

13. **Fines/Fees in lieu of Community Service.** All Defendants are given the option of converting their community service obligations to court payments (or charitable donations pursuant to paragraph 14), at the rate of \$10/hour during the red phase.

14. **Charitable Donations in lieu of Fines/Fees/Community Service.** During the red phase, the court will give all Defendants a dollar-for-dollar credit toward their fines/fees if they submit documentation of charitable donations to one of the following two organizations:

- **The Salt Lake Education Foundation’s Emergency Relief Fund.** Online donations can be made at <https://www.saltlakeeducationfoundation.org/>. To be eligible, the donation must be ear-marked for the “Emergency Relief Fund.”
- **The Shelter the Homeless Fund.** Online donations can be made at <https://homelesstah.org/donate/>.

These credits will only be available if the donation is made to one of the above two organizations during the red phase.

15. **Jail.** During the red phase, the court will allow—on a case-by-case basis—Defendants to serve jail sentences via remote monitoring programs. This rule will apply to Defendants who have already pleaded guilty as well as to those who plead guilty during the red phase.

16. **Public Access to Court Hearings During Covid-19 Emergency.** Our court calendars are publicly available. https://www.utcourts.gov/cal/Just_SALT_LAKE_CITY_1867_Calendar.pdf. Members of the public who would like to access any virtual hearings are directed to contact the court at least 24 hours prior to a hearing so that the court can arrange remote access.

17. All directives, proclamations, and orders 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:

- [facebook.com/saltlakejustice](https://www.facebook.com/saltlakejustice)
- twitter.com/saltlakejustice (aka @saltlakejustice)
- [instagram.com/saltlakejustice](https://www.instagram.com/saltlakejustice)

Dated: July 6, 2020

BY THE COURT



Honorable Judge Clemens A. Landau

EXHIBIT A

