

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. 10-7
CIRCUMSTANCES CREATED BY COVID-19 : (Supplementing Orders No. 10-5, 10-6)
AND OTHER EMERGENCIES :
:
: PRESIDING JUDGE
CLEMENS A. LANDAU

A global pandemic, earthquakes, and now a rally turned violent. Over the past three months Salt Lake City has experienced a series of overlapping emergencies, and—with the help of our sensational justice partners—our court has managed to stay open. Through it all, our modus operandi could be aptly summarized using the very words now scrawled on our street-side walls: “No Justice, No Peace.”

In that vein, Salt Lake City Facilities teams are currently evaluating the damage to our brick-and-mortar courthouse, and will repair our building as quickly as possible so that we can return to our in-person work. In the meantime, we will continue to serve the community remotely. All of our video calendars will go forward this week as scheduled. As soon as the building is cleared for public use, we will re-open the lobby and resume in-person hearings (to the extent permitted by our Covid-19 orders).

We are confident that Facilities will be able to replace the windows, restore the bricks, and clean the doors in short order. But we also know that the social and psychological wounds exposed by George Floyd’s killing will take much longer to heal. We are painfully aware that municipal courts like ours have historically been situated on, or at least very near, the tip of systemic racism’s spear. *See, e.g.,* U.S. Dep’t of Justice, Civil Rights Div., *Investigation of the Ferguson Police Department*, (March 4, 2015), at 42-61 (detailing how the practices employed by the Ferguson Municipal Court exacerbated existing racial disparities). Although our court has made a deliberate and concerted effort to reverse these practices, we understand—as Malcolm X did—that there is a significant difference between retracting an injurious blade just a little bit and bringing about the complete healing of a long-standing wound.

Although our building will remain closed while we make repairs, we remain deeply committed to maintaining public safety and the rule of law in the City we serve and love. And we will be working

closely with our justice partners over the coming days and weeks to ensure those values are safeguarded to the very best of our abilities. But we will also continue to “plot, plan, strategize, organize, and mobilize”—to borrow Killer Mike’s list—to help facilitate the healing of our nation’s racial wounds at the same time. Over the past year, these efforts have included:

- Working with Harvard University’s Access to Justice Lab to study the effectiveness of various strategies for lessening the impact of implicit bias on jurors;
- Working with our jury coordinators to track our jury pools to ensure that they are representative of our community;
- Running additional trainings for judges, courthouse staff, and our justice partners on strategies for lessening the impact of implicit bias in all court operations;
- Redesigning our courthouse spaces to make them more inclusive;
- Working closely with like-minded institutions, such as the Utah Center for Legal Inclusion, the University of Utah Law School’s Diversity Council, as well as others, to create lasting change in the legal profession.

We hope that these efforts will help move us closer, in some small way, to the more perfect union we are all craving at this difficult moment in our nation’s history. We understand, as James Baldwin did, that “not everything that is faced can be changed.” But we also know, as he did, that “nothing can be changed until it is faced.”

In light of the on-going nature of the Covid-19 emergency, the dates in our Standing Order No. 10-5 are extended through July 1, 2020.

Dated: May 31, 2020

BY THE COURT



Presiding Judge Clemens A. Landau
Judge Jeanne Robison
Judge John Baxter
Judge Katherine Peters
Judge Sydney Magid