

**MIDVALE CITY, UTAH
RESOLUTION NO. 2023-R-46**

**A RESOLUTION REQUESTING THE RECERTIFICATION OF THE MIDVALE
JUSTICE COURT**

WHEREAS, the provisions of U.C.A. 78A-7-103 require that Justice Courts be recertified at the end of each four-year term; and

WHEREAS, the term of the present Court shall expire on the 31st day of January 2024; and

WHEREAS, the members of the Midvale City Council have received an opinion letter from Garrett Wilcox, City Attorney, which set forth the requirements for the operation of a Justice Court and feasibility of continuing to maintain the same; and

WHEREAS, the members of the Midvale City Council have determined that it is in the best interests of Midvale City to continue to provide for a Justice Court.


NOW THEREFORE BE IT RESOLVED, the Midvale City Council hereby request recertification of the Midvale Justice Court by the Board of Justice Court Judges and the Utah Judicial Council.

BE IT FURTHER RESOLVED, the Midvale City Council hereby affirms its willingness to continue to meet all requirements set forth by the judicial council for continued operation of the Midvale City Justice Court for the next four-year term of court, except as to any requirements waived by the Utah Judicial Council.

APPROVED AND ADOPTED this 6th day of December, 2023.


Marcus Stevenson, Mayor

ATTEST:


Rori L. Andreason,
City Recorder



Voting by the City Council

“Aye”

“Nay”

Quinn Sperry	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Paul Glover	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Heidi Robinson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bryant Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dustin Gettel	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COURT CERTIFICATION AFFIDAVIT

Justice Court: MIDVALE

Judge: GEORGE F. W. DUC

Address: 7505 S. HOLDEN ST
MIDVALE, VT 84047

Telephone: 801-567-7265

Court's Website: MIDVALE.VT.GOV

Level of Court (Circle one): (I) II III IV

Average Case Filings Per Month: 600

Daily Court Hours: 9

Number of Full-time Clerks: 6
Hours Worked Per Week Per Clerk: 40

Number of Part-time Clerks: 1
Hours Worked Per Week Per Clerk: 25-29

This form is divided into two parts. Section I contains those requirements that are statutory and cannot be waived. Section II contains minimum requirements established by the Judicial Council, and those requirements may be waived pursuant to the procedure set forth in the Instructions to Applicant included with this Application for Recertification.

Comes now Judge GEORGE F. W. DUC,

Justice Court Judge for MIDVALE,

and, except as specifically noted below, certifies as follows:

SECTION I

**THE FOLLOWING ITEMS ARE STATUTORY AND CANNOT BE WAIVED.
CERTIFICATION WILL NOT BE GRANTED UNLESS EACH REQUIREMENT IS
MET.**

Please indicate **Yes or No** to each of the following:

1. All official court business is conducted in a public facility. YES
2. Court is open daily. YES
3. The hours of court operation are posted conspicuously. YES
4. The judge and the clerk attend court at regularly scheduled times based on the level of the court. YES
5. The judge is compensated at a fixed rate, within the statutory range. YES
6. The responsible governmental entity provides and compensates sufficient clerical personnel necessary to conduct the business of the court. YES
7. The responsible governmental entity assumes the expenses of the travel of the judge for purposes of required judicial education. YES
8. The responsible governmental entity assumes the expenses of the travel of each clerk for the purposes of attending training sessions conducted by the Judicial Council. YES
9. The responsible governmental entity provides the Court with:
 - a. Sufficient prosecutorial support YES
 - b. Funding for attorneys for indigent defendants, as appropriate YES
 - c. Sufficient local law enforcement officers to attend court as provided by statute YES
 - d. Security for the court as provided by statute YES
 - e. Witness and juror fees YES
 - f. Appropriate copies of the Utah Code, the Justice Court Manual, state laws affecting local governments, local ordinances and other necessary legal reference materials YES
10. Fines, surcharges and assessments which are payable to the state are forwarded as required by law. YES

11. Court is held within the jurisdiction of the court, except as provided by law (78A-7-212).

YES

12. All required reports and audits are filed as required by law or Rule of the Judicial Council.

YES

13. A record of all court proceedings is maintained by an appropriate digital recording system.

YES