

AGENDA

JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE INTERIM COMMITTEE UTAH LEGISLATURE

Wednesday, October 21, 2009 • 2:00 p.m. • Room 30 House Building

Approximate
Time Frame

2:00 1. Committee Business

- Call to order - Rep. Douglas C. Aagard, House Cochair
- Approval of the minutes of the September 16, 2009 meeting

2:05 2. Statutorily Required Reports

A. DUI Related Data and Processes

The Commission on Criminal and Juvenile Justice (CCJJ) is required each year to prepare a report of DUI data collected by the courts relating to sentencing enhancement decisions and dispositions and measures to evaluate the profile and impacts of DUI recidivism. (Section 41-6a-511)

- Ms. Mary Lou Emerson, Director, Utah Substance Abuse & Anti-Violence Coordinating Council, Utah Commission on Criminal and Juvenile Justice

B. Maximum Amount of Small Claims Actions

Recommendations are required from the Judicial Council every odd numbered year on the maximum dollar amount for small claims actions. (Section 78A-8-109)

- Mr. Rick Schwermer, Administrative Office of the Courts

C. Dispute Resolution Programs

The director of dispute resolution programs in the Administrative Office of the Courts is required each year to report on the operation of the dispute resolution programs. (Section 78B-6-204)

- Mr. Rick Schwermer, Administrative Office of the Courts

D. Status of Housing Inmates in County Jails

The Utah Department of Corrections is required each year to report the daily incarceration rates and the number of state inmates housed by each county. (Section 64-13e-106)

- Mr. Mike Haddon, Deputy Director, Utah Department of Corrections

2:25 3. Board of Pardons Technical Amendments

This proposed legislation allows an appearance before the Board of Pardons to be accomplished by video teleconferencing or other electronic means.

- Rep. Eric K. Hutchings

2:40 4. Restrictions on Use of Wireless Telephones in Vehicles

This proposed legislation prohibits the use of a wireless telephone while operating a moving motor vehicle.

- Rep. Phil Riesen

- 3:00 5. Court Fees For Inmates**
This proposed legislation establishes procedures to determine if court fees and costs should be paid in full or waived in whole or in part for a prisoner who files an initial divorce action or an action to obtain custody of the prisoner's children.
- Rep. Curtis Oda
- 3:20 6. Inmate Health Insurance Amendments**
This proposed legislation requires an insurance company providing health or dental policies to coordinate benefits for an insured individual housed in a correctional facility or who is in the custody of the Department of Corrections.
- Rep. Paul Ray
- 3:35 7. Expungement Revisions**
This proposed legislation creates a new chapter known as the Utah Expungement Act that sets out procedures and conditions upon which an expungement may be granted by the court.
- Rep. Julie Fisher
 - Ms. Lana Taylor, Assistant Attorney General, Department of Public Safety
 - Ms. Alice Erickson, Director, Bureau of Criminal Identification
 - Ms. Nicole Shepherd, Manager, Bureau of Criminal Identification
- 3:55 8. Post-Conviction Remedies Amendments**
This proposed legislation clarifies a statutory limitation on claims for relief under the Post-Conviction Remedies Act.
- Rep. Kay L. McIff
- 4:05 9. Juvenile Transfers from Justice Court**
This proposed legislation allows a justice court judge to transfer a matter concerning a child to the juvenile court if the justice court judge determines the transfer is in the child's best interest.
- Rep. Kay L. McIff
- 4:15 10. Dating Violence**
This is an informational item to update the Committee on the progress of this issue.
- Mr. Ned Searle, Domestic Violence State Coordinator, Office of Domestic and Sexual Violence
 - Mr. Stuart Ralphs, Legal Aid Society
- 4:30 11. Other Business / Adjourn**