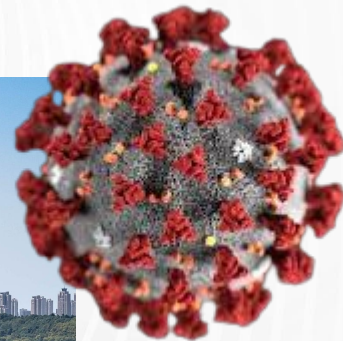


# LEGAL DEPARTMENT



# Staff Transitions



- Previously contracted with Utah County
- New streamlined build for Spanish Fork City
- Importer - imports directly from Spillman
- Case management and organization
- Exporter - efilng link to Utah Courts
- Automations - programming to populate data throughout software
- Attorney Court Notes



Data from Court Notes goes to 4 other pages, streamlining the live note-taking process for Prosecutors.

- \* **Court Notes** appear in the corresponding Calendared Event.
- \* **Next Event** data generates a new event in Calendared Events.
- \* **Updated offers** appear in a corresponding field in the Prosecution Page.
- \* **Public Defender** appointment or Pro Se Defendant appear in the Prosecution page.
- \* **Private Counsel** data will appear in the Activity field and any defense counsel will generate a task in that page to send Discovery.
- \* **Restitution Notes** appear in Statistics.
- \* The **Sentencing Statistics** button can be pressed to go straight to the Statistics page to enter more data.



JD

**DOE, JANE; Retail Theft, Open Container; 231312345; 22SF12345; S12345678**  
Jane Doe 801-123-4567 janedoe@fakeemail.com  
#Miscellaneous #ObstructingJustice #Harassment #Bond Edit Tags  
Prosecutor # Arrest Date Court Case # Prosecutor Next Event Date  
22SF12345 S12345678 11/01/2022 231300001 Tanner Preece 06/09/2023

Filter Menu

Activity
Court Notes
Intake
Screening
Charges
Document Generator
E-Filing
Filing Cabinet
Prosecution
Calendared Events
Case Discovery
Statistics
Victim Services
User Access
Contacts
Calendar

Today's Date  
mm/dd/yyyy

Court Notes

Updated Offer

Next Event  
Unknown
Next Event Date  
mm/dd/yyyy
Next Event Time  
Unknown

Public Defender Appointed
Pro Se Defendant
Private Counsel Appeared
Private Defense Counsel

Restitution Amount  
\$
Restitution Notes

Sentencing Statistics
Trigger Automations

Reset
Saved



# STATUTE REPOSITORY AUTOMATIONS

There are 2006 laws we can use to create charging documents (Informations).  
Our repository has advanced search features. The details of each law can be pulled into the Charges page of each case through automations.

Statute Repository 2023 

 Report has unsaved changes

2,006 Results

No Grouping



Statute	Statute for Filing	Description	Penalty Language	Charging Language	Class	Severity	Source	Statute Identifier from UPC	Activation Date	Expiration Date	AutoHashtag	Statute Year
76-10-107.5(2)(a)	76-10-107.5(2)(A)	NITROUS OXIDE ABUSE	NITROUS OXIDE ABUSE	possess nitrous oxide with the intent to breathe, inhale, or ingest it for the purpose of (a) causing a	MA	MA	UT001	2093	05/05/1985		#Drugs	2023
41-6a-1715	41-6A-1715	CARELESS DRIVING	CARELESS DRIVING	commit (a) two or more moving traffic violations in a series of acts within a single continuous period	MC	MC	UT001	3640	05/13/2014		#TrafficCriminal	2022
32B-4-418	32B-4-418	UNLAWFUL STORAGE	UNLAWFUL STORAGE	store liquor on premises for which the person was authorized to sell beer for on-premise	MB	MB	UT001	3344	07/01/2011		#Alcohol	2022
76-6-513(2)	76-6-513(2A)+(3A)(A)	UNLAWFUL FIDUCIARY DEALING	UNLAWFUL FIDUCIARY DEALING \$500-\$1499	deal with property that had been entrusted to him as a fiduciary, or property of a governmental	MA	MA	UT001	4602	05/03/2023		#Theft	2023
76-9-203	76-9-203(3)(A)	ONLINE IMPERSONATION	ONLINE IMPERSONATION	with the intent to harm, defraud, intimidate, or threaten any individual, use the name of another	MA	MA	UT001	4204	05/05/2021		#Miscellaneous	2023

# STATUTE REPOSITORY

Add Statute to Project



+ Create New Charge

Statute

Statute for Efilng

Description

Charging Language

possess nitrous oxide with the intent to breathe, inhale, or ingest it for the purpose of (a) causing a condition of intoxication, elation, euphoria, dizziness, stupefaction, or dulling of the senses; or (b) changing, distorting, or disturbing the audio, visual, or mental processes.

Penalty Language

NITROUS OXIDE ABUSE

Class

Severity

Source

Statute Identifier from UPC

Activation Date

Expiration Date

AutoHashtag

Statute.Year

# CHARGES AUTOMATIONS

All fields highlighted in the video were populated from the statute repository. We create a list of charges in a specific case from the repository and use that list to create the charging document (Information).

Statute Repository 2022

PLEASE DO NOT EDIT (Use only "Add Statute to Project")

If edits are needed, please contact Heather or Alice

Select the project the Statute will be added to before pressing "Create New Charge" button.

Add Statute to Project

Statute: 76-10-107.5(2)(a)

Statute for Efilng: 76-10-107.5(2)(A)

Description: NITROUS OXIDE ABUSE

Charging Language: possess nitrous oxide with the intent to breathe, inhale, or ingest it for the purpose of (a) causing a condition of intoxication, elation, euphoria, dizziness, stupefaction, or dulling of the senses; or (b) changing, distorting, or disturbing the audio, visual, or mental processes.

Penalty Language: NITROUS OXIDE ABUSE

Class: MA

Severity: MA

Source: UT001

Statute Identifier from UPC: 2093

Activation Date: 01/01/2022

Expiration Date: mm/dd/yyyy

AutoHashtag: #Drugs

Statute.Year: 2023



# Success: Two Pesos

- Innovative solution
- Developer willing to accept appraised value \$520,000 + \$130,000 in lieu of a pioneering agreement (got paid now rather than in future, uncertainty, time value of money)
- Two Pesos grant ROW for promise Developer would not seek pioneering agreement
- River Run and White Hen covered costs of acquisition
- Two Pesos grant high voltage power easement for SUVPS line reroute and MUE
- Rerouted SUVPS line will take it away from Rec Center site
- Road opened in November 2023





# 2023 Review Benchmarks

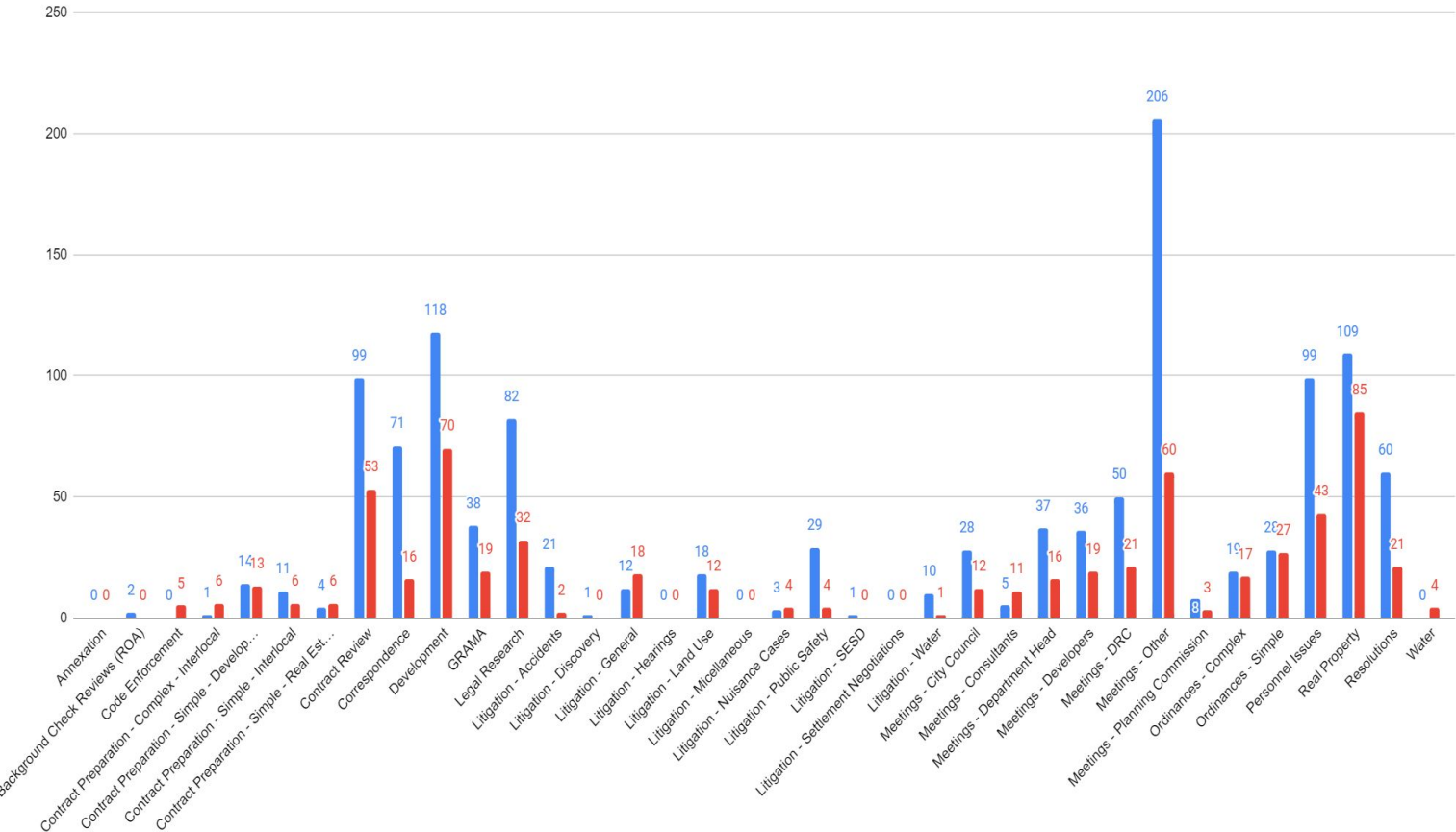




# Civil Case Types

Case Type by Year

■ 2022 ■ 2023



## 2022

1. Development
2. Real Property
3. Contract Review
4. Personnel Issues
5. Resolutions

## 2023

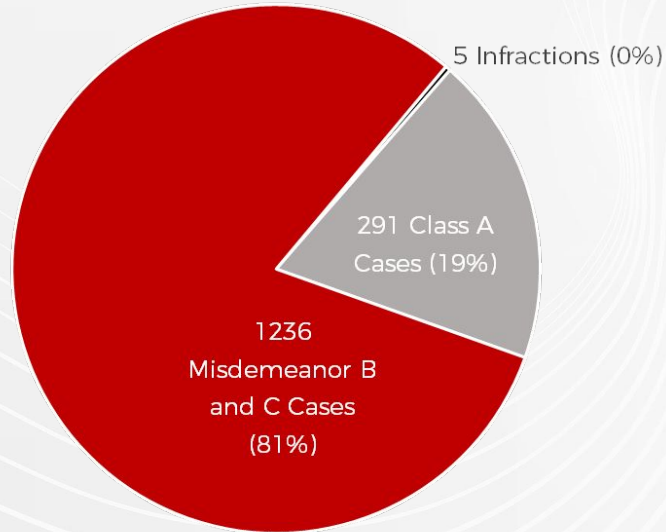
1. Real Property
2. Development
3. Contract Review
4. Ordinances
5. Personnel Issues



# Criminal Caseload: 2022

1,532 Cases with Hearings

4,516 Hearings Total



Avg. 3 hearings per case

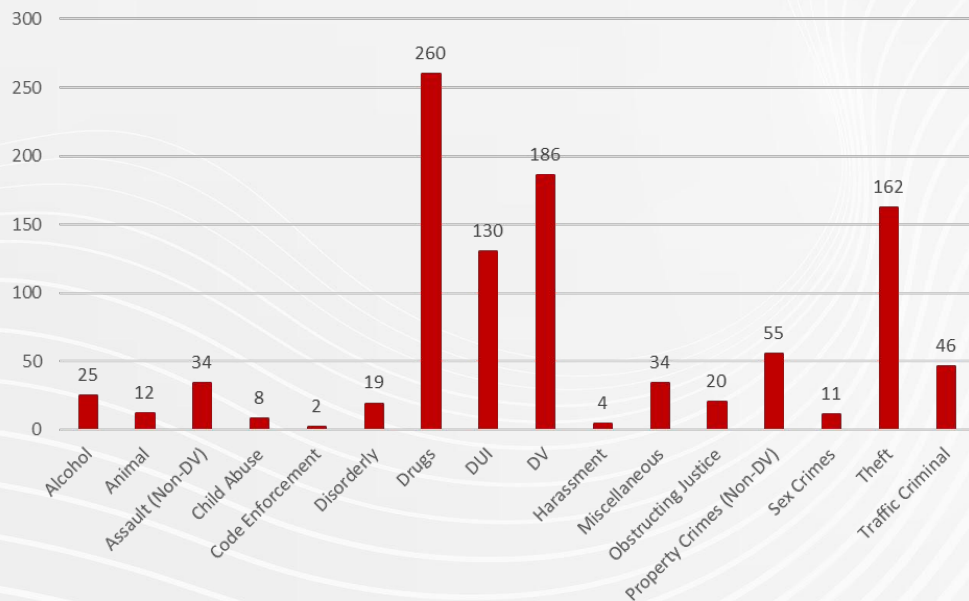


# Criminal Caseload: 2022

1,008 Criminal Cases 66%

524 Traffic Cases 34%

1,008 Criminal Cases by Type

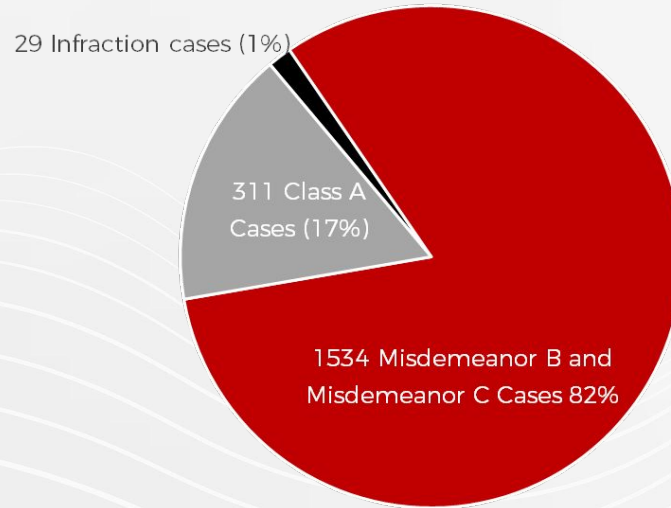




# Criminal Caseload: 2023

1,876 Cases with Hearings

4,901 Hearings Total



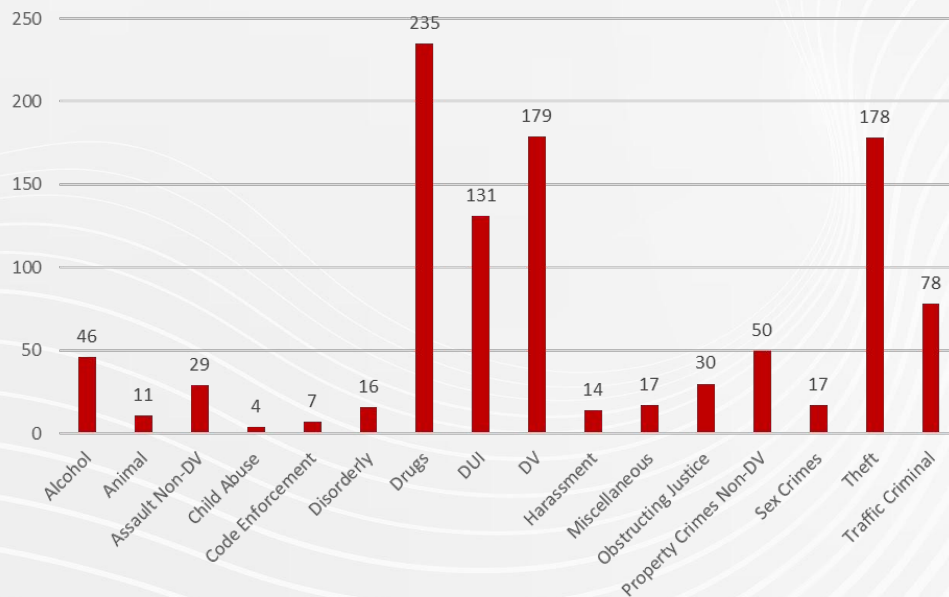
Avg. 2.6 hearings per case



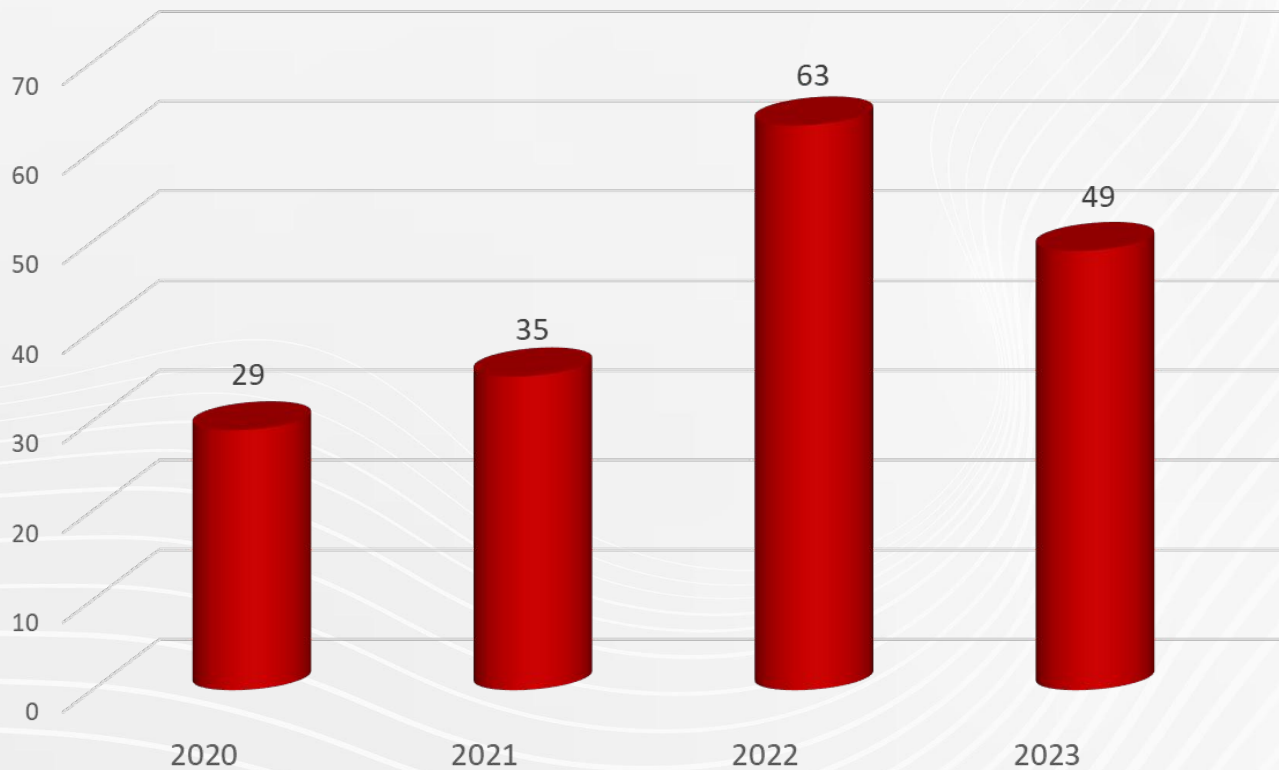
# Criminal Caseload: 2023

1,042 Criminal Cases 56%  
834 Traffic Cases 44%

1,042 Criminal Cases by Type

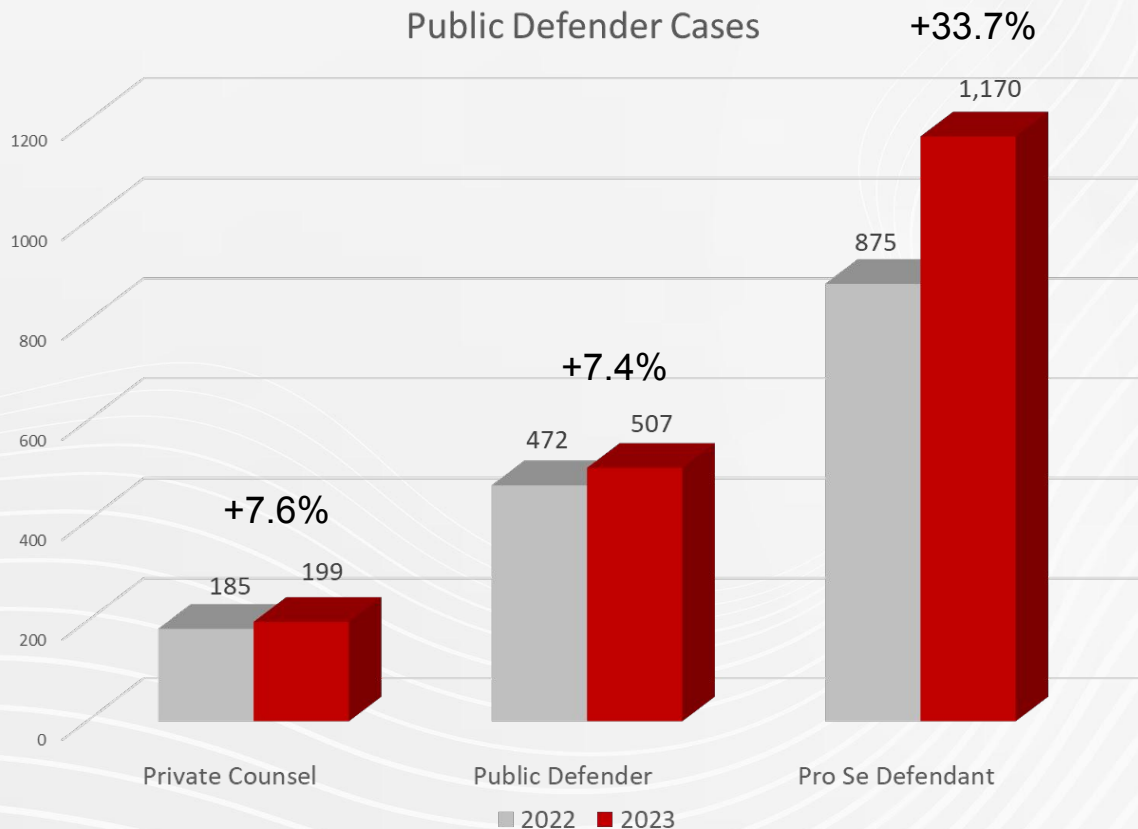


## Cases with 1+ Contested Hearings





# Criminal: Defense Counsel



## 2022 Hearings

Total Number of Hearings:

4,516

Unique Cases that make up the total number:

1,532 (avg. 3 hearings/case)

Old Cases with hearings in 2022:

683

New Cases with hearings in 2022:

849

New cases received in 2022 (of which 849 had hearings):

1,081

Total caseload (not incl. Salem & UCSO cases):

1,764

## 2023 Hearings

Total Number of Hearings:

4,901

Unique Cases that make up the total number:

1,876 (avg. 3 hearings/case)

Old Cases with hearings in 2023:

865

New Cases with hearings in 2023:

1,011

New cases received in 2023 (of which 1,011 had hearings):

1,171

Total caseload:

2,036



**SPANISH FORK**  
PRIDE & PROGRESS





# Criminal Cases from Other Agencies

1. Utah County Sheriff



## Utah County Attorney Prosecuted in Spanish Fork

Traffic - 203  
Criminal - 74  
Total 2023 - **277** cases

2. Utah Highway Patrol



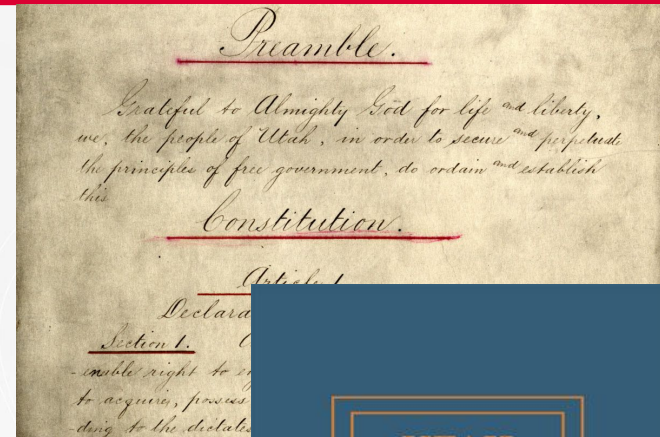
Spanish Fork	1,171
Others	277
<b>TOTAL 2023</b>	<b>1,448</b>
<b>Increase</b>	<b>+24%</b>



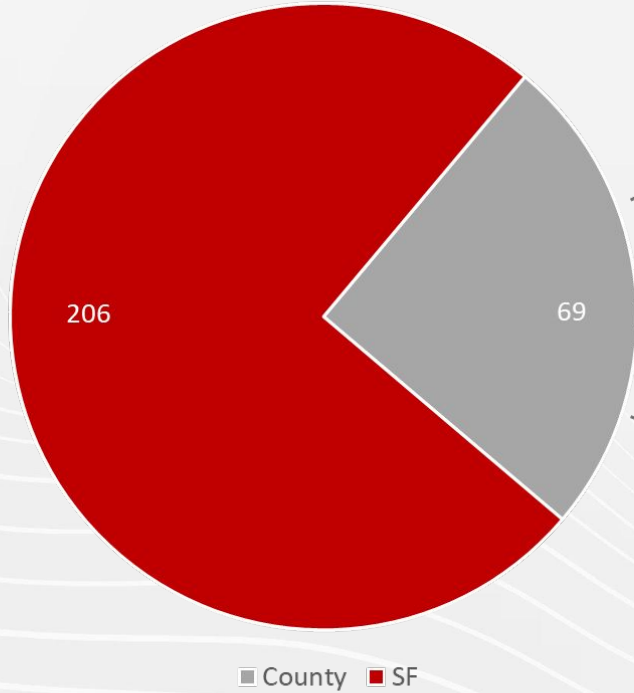
Article VIII, Section 16, of the Utah Constitution - **elected "public prosecutors" have primary responsibility** for the prosecution of criminal actions

Utah Code Ann. §§ 10-3-928, 17-18a-401 - **City attorneys** are given permission and authority, **but not the obligation**, to prosecute misdemeanors and infractions occurring in the city. Conversely, **county attorneys** have the **duty to prosecute all public offenses**, except those that a city attorney prosecutes.

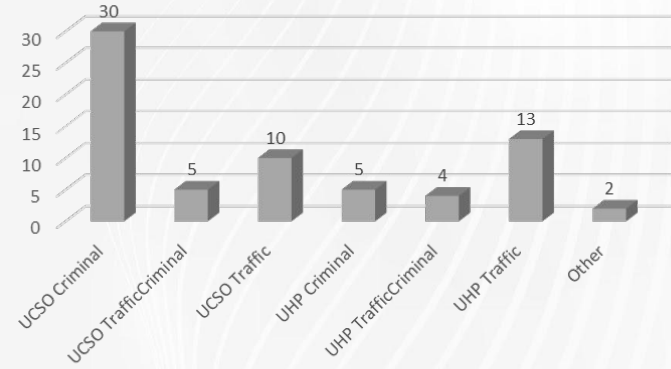
*State v. Robertson*, 924 P.2d 889, 893 (Utah 1996), affirming *State v. Robertson*, 886 P.2d 85, 91 (Utah Ct. App. 1994) - "City attorneys have the authority, but **not the duty**, to prosecute state infractions and misdemeanors occurring within the city boundaries."



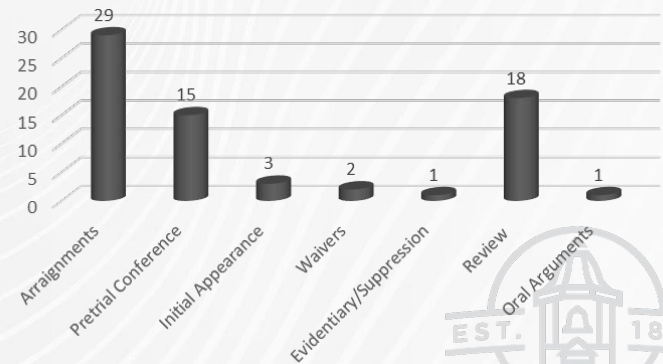
## Hearings in January 2024 (4 Thursday Court Dates)



### Case Types



### Hearing Types





# Criminal Cases from Other Agencies

## Workload/Staffing

1. Increase in caseload for our attorneys - already at full capacity.
2. Increased caseload on the public defender. Likely need to contract with additional public defender. Current caseload already increasing at a higher rate than tiered compensation.
3. Legal assistant hours may need to increase.
4. Workload is already growing along with population.
5. With added staff, would need additional work space.



# Criminal Cases from Other Agencies

## UHP Cases

1. Does not use Spillman. Cases cannot be imported with the software importer we built. Manual data entry. Defeats the innovation we worked to develop.
2. Cases sent by email, upon request by prosecutor.
3. Recent cases in Spanish Fork called in court but Utah County Attorney's Office did not have files even though cases were a month old.



ELDRIDGE  
ROOM 1

January 18, 2024  
Thursday

0 AM 37 IP / INITIAL APPEARANCE

U10 235303824 Traffic Court Case

Assigned Judge: JARED ELDRIDGE  
STATE OF UTAH

ATTY:

vs.

VALDOVINOS AGUIRRE, EDGAR

ATTY:

OTN: DOB: [REDACTED]

MA 41-6A-606(1) - SPEED CONTEST OR EXHIBITION ON HIGHWAY

- 12/09/2023

IN - 53-3-202 - NO VALID LICENSE - NEVER OBTAINED LICENSE

- 12/09/2023

CITATION #: C183915933

SHERIFF #:

LEA #: 062303750

Start Time \_\_\_\_\_

Stop Time \_\_\_\_\_

> DEFENDANT WAS A MINOR AT TIME OF VIOLATION <

38 IP / INITIAL APPEARANCE

U10 235303848 Traffic Court Case

Assigned Judge: JARED ELDRIDGE  
STATE OF UTAH

ATTY:

vs.

VARGAS, ABRAHAM

ATTY:

OTN: DOB: [REDACTED]

MA 41-6A-606(1) - SPEED CONTEST OR EXHIBITION ON HIGHWAY

- 12/08/2023

CITATION #: C183915925

SHERIFF #:

LEA #: 062303750

Start Time \_\_\_\_\_

Stop Time \_\_\_\_\_



Defendant appeared at court. No case forwarded to County Attorney. MM 254. Continued future date TBD.

Defendant appeared at court. No case forwarded to County Attorney. MM 253. Transferred to District Court - Provo. Continued future date TBD.

# Criminal Cases from Other Agencies

## UHP Cases

1. Difficult communication, come in office to sign affidavits, warrants, serve summons. More phone calls and appointments.
2. UHP does not serve summons or subpoenas. Hire constable service or task SFPD to serve defendants. Tricky because freeway defendants rarely live in the City.
3. Videos in a cumbersome format. Teach attorneys and defendants how to access them. Officers must upload and tag videos or records clerk does not know they exist. Videos do not show on Zoom.



# Criminal Cases from Other Agencies

## Sheriff Cases

1. Judge is already displeased with jail staff and prosecutors taking more time for in-custody appearances. With increase of cases, there will be more in-custody appearances to handle by Spanish Fork prosecutors and public defender (who appears as friend of the court), further lengthening the process in the mornings.
2. Jail cases - Inmates from all jurisdictions come to Utah County Jail. Substantial number of crimes committed in the jail. Significant caseload increase unless negotiated jurisdiction.





# Criminal Cases from Other Agencies

## Other Concerns

1. Traffic School? - Would Sheriff and UHP cases qualify for Spanish Fork PD traffic school?
2. Jurisdiction - large portions of I-15 and US-6 are unincorporated. Sort out improperly filed cases and send to County.
3. Training - SF would not train Sheriff or UHP.
4. In-court case resolutions (the way most cases are resolved) would take more time simply due to more cases to go around (no County attorney present, SF attorneys handling more cases).



# Criminal Cases from Other Agencies

## Benefit of Prosecuting Other Agencies' Cases

1. Some payment from Utah County. TBD. How much? How long?
2. How much would we need?
3. Would it be worth it just to cover our costs? What benefit to Spanish Fork?
  - a. Political
  - b. Some increase in fine revenue
4. Maybe more uniform treatment of defendants by SF prosecutors.



# Criminal Cases from Other Agencies

**Slido** Should Spanish Fork prosecute all cases that occur within the City, regardless of the originating law enforcement agency?

- a. Yes, to be a team player
- b. Yes, but only if costs covered
- c. Yes, but only if costs plus administration fee
- d. No, we cannot grow staff and office yet
- e. No, too many other complications
- f. No, status quo





**Should Spanish Fork prosecute all cases that occur within the City, regardless of the originating law enforcement agency?**

- ① Click **Present with Slido** or install our [Chrome extension](#) to activate this poll while presenting.



END  
OF  
PART  
ONE

