Budget Amendment Form

Date: 11/01/21

Reason for Amendment:

PLEASE SEE ATTACHMENTS.

TYPE OF BUDGET AMENDMENT REQUESTED (Please check all that apply.)

Employee Reclassification
Increase from grade 24 to 26

LINE ITEM CHANGES (Dollar amounts for increases and decreases should balance.)

Increase	Decrease	Account Name	Account Number	Dollar Amount	
X		Justice Court	10.10.12.122.510110	1,640	pay
		" "	" " .520130	474	Ben
			121 Total	2,114	

REQUESTED CAPITAL EXPENDITURE CHANGES

Account Number:

App. Budget Item(s)

New Item(s) Request

APPROVALS:

Department Head (Authorized signature) [signature]

Budget Officer (When Required)

RESOLUTION OF DAVIS COUNTY COMMISSION

RESOLUTION Utah Code Ann. § 17-36-24 (1975) and 17-36-23 (1975), as amended. Passed and approved this _____ day of _____, 20___, with Commissioners Randy Elliott _____, Lorene Kamalu _____, and Bob Stevenson _____ all voting as documented herein above.

ATTEST **BOARD OF COMMISSIONERS**

County Clerk/Auditor _____ Chairperson _____

Budget Amendment Form

Date: 1 November 2021

Reason for Amendment:

To adopt the Human Resource Department's April 2021 market summary and recommendation that would increase Administrative Assistant Jennifer Nicholas' grade (to a 25 or possibly 26) and increase her hourly rate of compensation accordingly from 15 April 2021 to the present. Then apply the most recent grade and salary increases in her case.

I was appointed the Davis County Justice Court Judge in March of 2016. Sometime before that, the justice court's reputation and work product had fallen far below acceptable state and county standards. Prior to May 2016, when I was sworn-in, it had been brought to my attention, by the court's clients, e.g., city managers, attorneys (both prosecutors and defenders), police and court patrons, that the court's reputation was impolite and uncaring. At the same time, these court users reported that the court was not using state court policies and/or procedures to handle court business. For example, the justice court was not using a court filing system - CORIS, to file and track court cases. The court was not keeping real time minutes opting instead to transcribe minutes from court recordings when requested by users. Finally, the court was not imposing or processing fines and fees using state court accounting policies and processes. It was clear to me that several changes needed to be made if the court was to regain its appropriate status with the state court system, its peer courts and the public.

In preliminary meetings with existing court staff it was apparent to me that the "old ways" of doing court business were going to "die hard," if at all. I decided to start making changes by releasing the existing court Administrative Assistant (AA). After I made the decision the Human Resource Department took care of the details, e.g., communicating with the AA and supervising her release and departure. Except for making the decision, the Human Resource Department took care of "all of the details." The "hole" that decision created needed to be filled quickly.

Over the next four months I watched the operation of the court and measured the abilities of the remaining staff to be moved into the open AA position. I did not believe then, and do not believe now, that one of remaining clerks had the aptitude or ability to make the changes that I knew needed to be made. So, with the help of the Human Resource Department, I began looking for a new AA.

Jennifer knew of the court's needs. She has over twenty years of state-wide justice court clerk experience. She has worked for several justice courts and judges. At the time we were looking for a new AA she was working for the Roy/Weber Justice Court and had just gone through a comprehensive state audit. The audit revealed that the Roy/Weber Justice Court had some problems with state court policies and procedures. With the help of state court auditors, Jennifer learned the correct state policies and procedures, implemented them (against some resistance), and the Roy/Weber Justice Court was found to be in compliance with state court policies and procedures by state court auditors. For whatever reason, Jennifer applied to be the Davis County Justice Court AA. With the help of the Human Resource Department we gathered a pool of applicants, vetted them and interviewed them. Given her professional and personal talents I selected Jennifer as the new Davis County Justice Court AA. Thereafter, Human Resources handled bringing Jennifer "on-board" including negotiation of her salary.

It didn't take but a few days to learn that Jennifer was exactly what I needed to make a "culture change" in the justice court. Like the Roy/Weber changes, the Davis County Justice Court changes were met with some resistance. But, we started filing and tracking cases using CORIS, creating court minutes in real time, accounting for fines and fees pursuant to both state and county policies and procedures, staring a new clerk approved plea in abeyance program, and adopting a new attitude that has made us more user friendly.

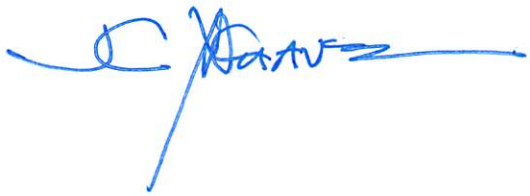
Jennifer is an important and integral part of the Davis County Justice Court culture. She has assisted and continues to assist me in making several changes that have made the justice court better than it was. She has the respect of the Utah Administrative Office of the Courts and has been called upon to answer questions about state-wide policies and procedures. She serves on the Justice Court Clerks' Education Committee that is responsible for training justice court clerks state-wide. She is respected by other judges and her peers. *I need her for the court to be successful*.

In the budget meeting for 2020 we explained that all of the court clerks were being paid below industry standards and requested that a new "market survey" be done to assess that problem. In April 2020, shortly after starting, the new Human Resource Administration did a "market survey" that concluded that to be paid equal to her peers Jennifer's grade need to be moved ("from a 24 to a 25 and possibly a 26") and that her hourly rate be increased accordingly. I was made aware of this decision in April 2020. However, I was not made aware of the Human Resource Department policy change that such a recommendation needed to be processed and presented by a department's Administrative Officer. Therefore, I initially made no effort to bring this proposed change to the attention of the Commission or the Compensation Committee. Had I known of the policy change I would have brought it up in the spring of 2021 for review and consideration.

I was also informed that the March/April 2021 "market survey" recommendation may be made during the most recent budget process that has just taken place. Unfortunately, with everything else that was before the Budget Committee, I am not sure that this recommendation was considered and/or approved.

I am respectfully requesting that the Human Resource Department's March/April 2021 market summary recommendation be approved. That Jennifer's grade and hourly rate be increased retroactively to April 2021 to the present. That she be compensated for that change from April through November 2021, and then the recently approved salary increases be applied in her case.

I appreciate the difficult job that you had this budget session with employee compensation. I am grateful for the action that you took on our behalf. I am sorry that this item may have been overlooked. I appreciate your time and consideration of this matter. If you have any questions or problems with this request please contact me at your convenience. I appreciate all that you do for the justice court.



Davis COUNTY

JC Ynchausti <jynchausti@co.davis.ut.us>

Compensation Analysis

2 messages

Ric Higbee <rhigbee@co.davis.ut.us> Thu, Apr 15, 2021 at 4:47 PM
To: JC Ynchausti <jynchausti@co.davis.ut.us>
Cc: Marina Brito <mbrito@co.davis.ut.us>

Hello JC,

Here is a summary of our research on the pay rates and ranges for the positions in your department that we discussed.

For Jennifer's position, we compared this against other Court Administrators in our surveys. She is currently rated at a grade 24, with a midpoint of $36.08, and current actual of $35.95. The group that we survey this with is at a midpoint of $40.02. So with that difference, we would recommend the pay grade go up to a 25 or possibly 26. This can be determined, and any changes approved during the budget process coming up in the fall.

For the Clerks, we are currently using 2 job descriptions, for a Court Clerk I and II. Those are pay grade 12 and 13, with midpoints at $18.33 and $19.37. We also have a job description available for a level III, which is not currently being used, but you could if you wanted. It is a grade 14 at $20.55 midpoint, but it is intended for a person who is in a Lead position, overseeing the other I & II Clerks. I don't know if that would be necessary or not. As we have looked at our survey data, the grade and rates for the Clerks seems to be right in line with the market and are comparable to other positions. Internally, we have Legal Secretary I/II positions, which are rated at grade 13 and 14. So they are close, but those have a bit higher level of required education, experience, and responsibilities. But based on our current structure and pay grades, it appears that our Court Clerks are correctly classified.

Let me know if you have questions or want to discuss this further still, with either me or Marina.

Thanks,
Ric

Effective 4/30; ppd 10

Ric Higbee, MSHR, SPHR, SHRM-SCP
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www.daviscountyutah.gov

Davis COUNTY

JC Ynchausti <jynchausti@co.davis.ut.us> Mon, Apr 26, 2021 at 2:01 PM
To: Jennifer Nicholas <jnicholas@co.davis.ut.us>

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