

SUPREME COURT OF UTAH

Christensen v. Juab School District

Christensen, 2017 UT 47 (Utah 2017) · No. 20160047 · Decided August 11, 2017

SUMMARY

The Utah Supreme Court held that a public employee’s right to reimbursement of attorney fees and court costs under Utah Code section 52-6-201 is determined from the allegations in the criminal information, rather than an inquiry into the actual underlying events. Because the information alleged aggravated sexual abuse based in part on the employee’s former teacher-student relationship with the victim, the charges arose under color of the employee’s authority. The court affirmed the grant of partial summary judgment and the stipulated award of fees and costs.

CASE DETAILS

|                       |                                                                                                                                                                                                                                               |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of Utah                                                                                                                                                                                                                         |
| WRITING FOR THE COURT | Justice Durham; Chief Justice Durrant; Associate Chief Justice Lee; Justice Himonas; Justice Pearce                                                                                                                                           |
| JURISDICTION          | Utah                                                                                                                                                                                                                                          |
| DECIDED               | August 11, 2017                                                                                                                                                                                                                               |
| DOCKET                | 20160047                                                                                                                                                                                                                                      |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                      |
| PROCEDURAL POSTURE    | Juab School District appealed the district court's grant of partial summary judgment to Hadley Christensen in an action seeking reimbursement of attorney fees and costs under Utah's public-employee criminal-defense reimbursement statute. |
| STANDARD OF REVIEW    | Summary judgment and statutory interpretation are reviewed for correctness, with no deference to the district court's legal conclusions.                                                                                                      |
| PRECEDENTIAL VALUE    | published and precedential                                                                                                                                                                                                                    |
| PARTIES               | Juab School District v. Hadley Christensen                                                                                                                                                                                                    |

TOPICS

- statutory interpretation
- remedies
- appellate procedure
- standard of review
- employment law

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether entitlement to reimbursement under Utah Code section 52-6-201 is determined from the allegations in the criminal information or from the actual facts and employment-relatedness of the underlying conduct.
2. Whether the criminal information alleged acts committed under color of Christensen's authority so as to satisfy the Reimbursement Statute.
3. Whether the court needed to decide whether reimbursement covered all costs incurred in defending against the information.

## HOLDINGS

1. Under Utah Code section 52-6-201, the employment-relatedness inquiry is based on the allegations or charges in the criminal information, not on a reexamination of the actual events or the employee's actual guilt or innocence.
2. The criminal information alleged acts under color of Christensen's authority because it relied on his former teacher-student relationship with the victim and alleged a position of special trust.
3. Christensen satisfied the Reimbursement Statute because he was a public employee, was not found guilty of substantially the same misconduct, obtained an acquittal, and was not acquitted through a prosecutorial motion to quash or dismiss.

## KEY QUOTATIONS

*“Rather, we reaffirm our holding in Acor that the Reimbursement Statute only requires that the allegations or charges in the criminal information “aris[e] out of” or are “connect[ed]” with the defendant’s employment.”* (¶ 16)

*“The third prong of the Reimbursement Statute, “under color of authority,” only requires a showing that the “criminal charges . . . directly arose out of acts alleged to have been committed under color of . . . authority.””* (¶ 23)

*“Therefore, Christensen is entitled to reasonable attorney fees and costs incurred in the underlying criminal proceedings both in the civil suit seeking reimbursement and on this appeal.”* (¶ 29)

## FACTUAL BACKGROUND

Hadley Christensen, then a fifth-grade teacher, allowed a former student to attend a sleepover at Christensen's home during Christmas break. The State charged Christensen with aggravated sexual abuse of a child, relying in part on the former teacher-student relationship as a position-of-special-trust enhancement. The criminal court directed a verdict on two aggravating elements, and the jury acquitted Christensen on the remaining charge. Juab School District refused to reimburse Christensen's defense fees and costs.

## PROCEDURAL HISTORY

Christensen sued Juab School District under Utah Code section 52-6-201 after successfully defending against an aggravated sexual abuse charge. The district court found no genuine dispute of material fact, granted Christensen partial summary judgment, and entered judgment based on the parties' stipulation regarding the amount of fees and costs. The Utah Supreme Court affirmed on direct appeal and declined to reach the scope of recoverable costs because that issue was moot under the stipulation.

#### DISPOSITION

affirmed

#### REMAND INSTRUCTIONS

No remand was required because the parties' stipulation already included the specified amount of attorney fees and costs, including costs for the appeal.

#### CASES CITED

- Acor v. Salt Lake City School District, 2011 UT 8, 247 P.3d 404
- Poulton v. Cox, 2016 UT 9, 368 P.3d 844
- Waddoups v. Amalgamated Sugar Co., 2002 UT 69, 54 P.3d 1054
- Stephens v. Bonneville Travel, Inc., 935 P.2d 518 (Utah 1997)
- Marion Energy, Inc. v. KFJ Ranch Partnership, 2011 UT 50, 267 P.3d 863
- In re Adoption of Baby E.Z., 2011 UT 38, 266 P.3d 702
- State v. Watkins, 2013 UT 28, 309 P.3d 209
- State v. Robertson, 2017 UT 27
- Redevelopment Agency of Salt Lake City v. Tanner, 740 P.2d 1296 (Utah 1987)