1   **Rule 4-202.08. Fees for records, information, and services.**
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3   **Intent:**
4   To establish uniform fees for requests for records, information, and services.
5
6   **Applicability:**
7   This rule applies to all courts of record and not of record and to the Administrative Office of the
8   Courts. This rule does not apply to the Self Help Center.
9
10   **Statement of the Rule:**
11   (1) **Fees payable.** Fees are payable to the court or office that provides the record, information,
12   or service at the time the record, information, or service is provided. The initial and monthly
13   subscription fee for public online services is due in advance. The connect-time fee is due upon
14   receipt of an invoice. If a public online services account is more than 60 days overdue, the
15   subscription may be terminated. If a subscription is terminated for nonpayment, the subscription
16   will be reinstated only upon payment of past due amounts and a reconnect fee equal to the
17   subscription fee.
18
19   (2) **Use of fees.** Fees received are credited to the court or office providing the record,
20   information, or service in the account from which expenditures were made. Fees for public
21   online services are credited to the Administrative Office of the Courts to improve data quality
22   control, information services, and information technology.
23
24   (3) **Copies.** Copies are made of court records only. The term "copies" includes the original
25   production. Fees for copies are based on the number of record sources to be copied or the
26   means by which copies are delivered and are as follows:
27
28   (3)(A) paper except as provided in (E): $.25 per sheet;
29
30   (3)(B) electronic storage medium other than of court hearings: $15.00 per unit;
31
32   (3)(C) electronic copy of court reporter stenographic text: $25.00 for each one-half day of
33   testimony or part thereof;
34
35   (3)(D) electronic copy of audio record or video record of court proceeding: $15.00 for
36   each one-half day of testimony or part thereof; and
37
38   (3)(E) pre-printed forms and associated information: an amount for each packet
39   established by the state court administrator.
40
41   (4) **Mailing.** The fee for mailing is the actual cost. The fee for mailing shall include necessary
42   transmittal between courts or offices for which a public or private carrier is used.
43

44 (5) **Fax or e-mail.** The fee to fax or e-mail a document is $5.00 for 10 pages or less. The fee for
45 additional pages is $.50 per page. Records available on Xchange will not be faxed or e-mailed.
46
47 (6) **Personnel time.**

48   (6)(A) ~~Personnel time to copy the record of a court proceeding is included in the copy~~
49   ~~fee. For other matters, t~~There is no fee for the first 15 minutes of personnel time required
50   to provide the copy, record, information, or service, unless the person who submits the
51   request:

52   (6)(A)(i) is not a Utah media representative; and

53
54   (6)(A)(ii) has submitted a separate records request within the 10-day period
55   immediately prior to the date of the request to which the court or office is
56   responding.

57
58   (6)(B) The fee for time beyond the first 15 minutes is charged in 15 minute increments
59   for any part thereof. The fees for personnel time may be set by the State Court
60   Administrator and the rates charged should be ~~is charged at the following rates~~ for the
61   least expensive group capable of providing the record, information, or service.~~:~~

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63   ~~(6)(B)(i) clerical assistant: $15.00 per hour;(6)(B)(ii) technician: $22.00 per hour;~~

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65   ~~(6)(B)(iii) senior clerical: $21.00 per hour~~

66
67   ~~(6)(B)(iv) programmer/analyst: $32.00 per hour;~~

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69   ~~(6)(B)(v) manager: $37.00 per hour; and~~

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71   ~~(6)(B)(vi) consultant: actual cost as billed by the consultant.~~

72
73 (7) **Public online services.**

74   (7)(A) The fee to subscribe to Xchange shall be as follows:

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76   (7)(A)(i) a set-up fee of $25.00;

77
78   (7)(A)(ii) a subscription fee of $40.00 per month for any portion of a calendar
79   month; and

80
81   (7)(A)(iii) $.15 for each search over 500 during a billing cycle. A search is
82   counted each time the search button is clicked.

83
84   (7)(B) When non-subscription access becomes available, the fee to access public online
85   services without subscribing shall be a transaction fee of $5.00, which will allow up to 10
86   searches during a session.

87
88   (7)(C) The fee to access a document shall be $.50 per document.
89
90   (8) **Bulk Data.** If approved, individuals or entities may subscribe to receive indexed court data
91   authorized under rule 4-202.02(2)(L) electronically in bulk. The fee to receive bulk data may be
92   set by the State Court Administrator. Requests for bulk data should be made to the Office of
93   Judicial Data and Research.
94
95   (98) **No interference.** Records, information, and services shall be provided at a time and in a
96   manner that does not interfere with the regular business of the courts. The Administrative Office
97   of the Courts may disconnect a user of public online services whose use interferes with
98   computer performance or access by other users.
99
100   (109) **Waiver of fees.**
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102   (109)(A) Subject to (109)(B), fees established by this rule, other than fees for public
103   online services, shall be waived for:
104
105   (109)(A)(i) any government entity of Utah or its political subdivisions if the fee is
106   minimal;
107
108   (109)(A)(ii) any person who is the subject of the record and who is indigent;
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110   (10)(A)(iii) any court appointed attorney acting on behalf of a client, if the client
111   would qualify for a fee waiver under (10)(A)(ii); and
112
113   (109)(A)(ivii) a student engaged in research for an academic purpose.
114
115   (109)(B) Individuals who qualify for a fee waiver under (109)(A)(ii) and (10)(A)(iii) are
116   entitled to one free copy of the record requested. The State Court Administrator may
117   waive the one free copy limit under this rule for good cause.
118
119   (109)(C) Fees for public online services shall be waived for:
120
121   (109)(C)(i) up to 10,000 searches per year for a news organization that gathers
122   information for the primary purpose of disseminating news to the public and that
123   requests a record to obtain information for a story or report for publication or
124   broadcast to the general public;
125
126   (109)(C)(ii) any government entity of Utah or its political subdivisions;
127
128   (109)(C)(iii) the Utah State Bar;
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130   (109)(C)(iv) public defenders for searches performed in connection with their
131   duties as public defenders; and
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133   (109)(C)(v) any person or organization who the XChange administrator
134   determines offers significant legal services to a substantial portion of the public at
135   no charge.
136
137   *Effective: January May/November 1, 202_3*