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

(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
 additional pages is \$.50 per page. Records available on Xchange will not be faxed or e-mailed.

46

47 (6) **Personnel time**.

 (6)(A)(i) is not a Utah media representative; and (6)(A)(ii) has submitted a separate records request within the 10-day period immediately prior to the date of the request to which the court or office is responding. (6)(B) The fee for time beyond the first 15 minutes is charged in 15 minute increments for any part thereof. The fees for personnel time may be set by the State Court Administrator and the rates charged should be to charged at the following rates for the least expensive group capable of providing the record, information, or service.² (6)(B)(i) clerical assistant: \$15.00 per hour;(6)(B)(ii) technician: \$22.00 per hour; (6)(B)(ii) senior clerical: \$21.00 per hour; (6)(B)(iii) senior clerical: \$21.00 per hour; (6)(B)(iv) programmer/analyst: \$32.00 per hour; (6)(B)(vi) consultant: actual cost as billed by the consultant. (7) Public online services. (7) Public online services. (7)(A) The fee to subscribe to Xchange shall be as follows: (7)(A)(ii) a set-up fee of \$25.00; (7)(A)(ii) a subscription fee of \$40.00 per month for any portion of a calendar month; and (7)(A)(iii) \$.15 for each search over 500 during a billing cycle. A search is counted each time the search button is clicked. (7)(B) When non-subscription access becomes available, the fee to access public online services without subscription gestion gestion fee of \$5.00, which will allow up to 10 searches during a session. 	48 49 50 51	(6)(A) Personnel time to copy the record of a court proceeding is included in the copy fee. For other matters, t <u>T</u> here is no fee for the first 15 minutes of personnel time <u>required</u> to provide the copy, record, information, or service, unless the person who submits the request:
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85 services without subscribing shall be a transaction fee of \$5.00, which will allow up to 10		(7)(B) When non-subscription access becomes available, the fee to access public online
	86	searches during a session.

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88	(7)(C) The fee to access a document shall be \$.50 per document.
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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.
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100	(<u>10</u> 9) Waiver of fees.
101	
102	(<u>10</u> 9)(A) Subject to (<u>10</u> 9)(B), fees established by this rule, other than fees for public
103	online services, shall be waived for:
104	
105	(<u>10</u> 9)(A)(i) any government entity of Utah or its political subdivisions if the fee is
106	minimal;
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108	(<u>10</u> 9)(A)(ii) any person who is the subject of the record and who is indigent;
109	
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
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113	(<u>10</u> 9)(A)(i <u>v</u> ii) a student engaged in research for an academic purpose.
114	(400)(D) is dividual and a market for a factor increase $(400)(A)(i)$ and $(40)(A)(ii)$ and
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	(100)(C) Ease for public online convision shall be weived for:
119 120	(<u>10</u> 9)(C) Fees for public online services shall be waived for:
	(109)(C)(i) up to 10,000 searches per year for a news organization that gathers
121 122	information for the primary purpose of disseminating news to the public and that
122	requests a record to obtain information for a story or report for publication or
125	broadcast to the general public;
124	bloadcast to the general public,
125	(109)(C)(ii) any government entity of Utah or its political subdivisions;
120	
127	(<u>10</u> 9)(C)(iii) the Utah State Bar;
129	

130	(<u>10</u> 9)(C)(iv) public defenders for searches performed in connection with their
131	duties as public defenders; and
132	
133	(<u>10</u> 9)(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 <u>May/November</u> 1 , 202 <u>3</u>