

Rule 4-202.08. Fees for records, information, and services.**Intent:**

To establish uniform fees for requests for records, information, and services.

Applicability:

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.

Statement of the Rule:

(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.

(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.

(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:

(3)(A) paper except as provided in (D): \$.25 per sheet;

(3)(B) electronic storage medium other than of court hearings: \$15.00 per unit;

(3)(C) electronic copy of audio record or video record of court proceeding: \$15.00 for each one-half day of testimony or part thereof; and

(3)(D) pre-printed forms and associated information: an amount for each packet established by the state court administrator.

(4) **Mailing.** The fee for mailing is the actual cost. The fee for mailing ~~shall~~will 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.

44 **(6) Personnel time.**

45 (6)(A) There is no fee for the first 15 minutes of personnel time required to provide the
46 copy, record, information, or service, unless the person who submits the request:

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

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50 (6)(A)(ii) has submitted a separate records request within the 10-day period
51 immediately prior to the date of the request to which the court or office is
52 responding.
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54 (6)(B) The fee for time beyond the first 15 minutes is charged in 15--minute increments
55 for any part thereof. The fees for personnel time may be set by the State Court
56 Administrator and the rates charged should be for the least expensive group capable of
57 providing the record, information, or service.
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59 **(7) Public online services.**

60 (7)(A) The fee to subscribe to Xchange ~~shall~~will be as follows:

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

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64 (7)(A)(ii) a subscription fee of \$40.00 per month for any portion of a calendar month; and

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66 (7)(A)(iii) ~~\$.45~~ \$.35 for each search over 500 during a billing cycle. A search is counted
67 each time the search button is clicked.
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69 (7)(B) The fee to access public online services without subscribing ~~shall~~will be a
70 transaction fee of ~~\$5.00~~ \$10.00, which will allow up to 10 searches during a session.
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72 (7)(C) The fee to access a document ~~shall~~will be ~~\$-50~~ \$1.00 per document.
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74 **(8) Bulk Data.** If approved, individuals or entities may subscribe to receive indexed court data
75 authorized under rule 4-202.02(2)(L) electronically in bulk. The fee to receive bulk data may be
76 set by the State Court Administrator. Requests for bulk data should be made to the Office of
77 Judicial Data and Research.
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79 **(9) No interference.** Records, information, and services ~~shall~~will be provided at a time and in a
80 manner that does not interfere with the regular business of the courts. The Administrative Office
81 of the Courts may disconnect a user of public online services whose use interferes with
82 computer performance or access by other users.
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84 **(10) Waiver of fees.**
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(10)(A) Subject to (10)(B), fees established by this rule, other than fees for public online services, ~~shall~~will be waived for:

(10)(A)(i) any government entity of Utah or its political subdivisions if the fee is minimal;

(10)(A)(ii) any person who is the subject of the record and who is indigent;

(10)(A)(iii) any court appointed attorney acting on behalf of a client, if the client would qualify for a fee waiver under (10)(A)(ii); and

(10)(A)(iv) a student engaged in research for an academic purpose.

(10)(B) Individuals who qualify for a fee waiver under (10)(A)(ii) and (10)(A)(iii) are entitled to one free copy of the record requested. The State Court Administrator may waive the one free copy limit under this rule for good cause.

(10)(C) Fees for public online services ~~shall~~will be waived for:

(10)(C)(i) up to 10,000 searches per year for a news organization that gathers information for the primary purpose of disseminating news to the public and that requests a record to obtain information for a story or report for publication or broadcast to the general public;

(10)(C)(ii) any government entity of Utah or its political subdivisions;

(10)(C)(iii) the Utah State Bar;

(10)(C)(iv) public defenders for searches performed in connection with their duties as public defenders; and

(10)(C)(v) any person or organization who the XChange administrator determines offers significant legal services to a substantial portion of the public at no charge.

Effective: ~~January~~ July 1, 2024~~2025~~