

1 **Rule 4-202.02. Records Classification.**

2
3 **Intent:**

4 To classify court records as public or non-public.

5
6 **Applicability:**

7 This rule applies to the judicial branch.

8
9 **Statement of the Rule:**

10 **(1) Presumption of Public Court Records.** Court records are public unless otherwise
11 classified by this rule.

12
13 **(2) Public Court Records.** Public court records include but are not limited to:

14
15 (2)(A) abstract of a citation that redacts all non-public information;

16
17 (2)(B) aggregate records without non-public information and without personal identifying
18 information;

19
20 (2)(C) appellate filings, including briefs;

21
22 (2)(D) arrest warrants, but a court may restrict access before service;

23
24 (2)(E) audit reports;

25
26 (2)(F) case files;

27
28 (2)(G) committee reports after release by the Judicial Council or the court that requested
29 the study;

30
31 (2)(H) contracts entered into by the judicial branch and records of compliance with the
32 terms of a contract;

33
34 (2)(I) drafts that were never finalized but were relied upon in carrying out an action or
35 policy;

36
37 (2)(J) exhibits, but the judge may regulate or deny access to ensure the integrity of the
38 exhibit, a fair trial or interests favoring closure;

39
40 (2)(K) financial records;

41
42 (2)(L) indexes approved by the Management Committee, including the following, in
43 courts other than the juvenile court; an index may contain any other index information:

44
45 (2)(L)(i) amount in controversy;

46
47 (2)(L)(ii) attorney name;

48
49 (2)(L)(iii) licensed paralegal practitioner name;

- 50
51 (2)(L)(iv) case number;
52
53 (2)(L)(v) case status;
54
55 (2)(L)(vi) civil case type or criminal violation;
56
57 (2)(L)(vii) civil judgment or criminal disposition;
58
59 (2)(L)(viii) daily calendar;
60
61 (2)(L)(ix) file date;
62
63 (2)(L)(x) party name;
64
65 (2)(M) name, business address, business telephone number, and business email
66 address of an adult person or business entity other than a party or a victim or witness of
67 a crime;
68
69 (2)(N) name, address, telephone number, email address, date of birth, and last four
70 digits of the following: driver's license number; social security number; or account
71 number of a party;
72
73 (2)(O) name, business address, business telephone number, and business email
74 address of a lawyer or licensed paralegal practitioner appearing in a case;
75
76 (2)(P) name, business address, business telephone number, and business email
77 address of court personnel other than judges;
78
79 (2)(Q) name, business address, and business telephone number of judges;
80
81 (2)(R) name, gender, gross salary and benefits, job title and description, number of
82 hours worked per pay period, dates of employment, and relevant qualifications of a
83 current or former court personnel;
84
85 (2)(S) unless classified by the judge as private or safeguarded to protect the personal
86 safety of the juror or the juror's family, the name of a juror empaneled to try a case, but
87 only 10 days after the jury is discharged;
88
89 (2)(T) opinions, including concurring and dissenting opinions, and orders entered in open
90 hearings;
91
92 (2)(U) order or decision classifying a record as non-public;
93
94 (2)(V) private record if the subject of the record has given written permission to make the
95 record public;
96
97 (2)(W) publications of the Administrative Office;
98
99 (2)(X) record in which the judicial branch determines or states an opinion on the rights of
100 the state, a political subdivision, the public, or a person;

- 101
102 (2)(Y) record of the receipt or expenditure of public funds;
103
104 (2)(Z) record, minutes, or transcript of an open meeting;
105
106 (2)(AA) official audio record, minutes, or transcript of an open hearing;
107
108 (2)(BB) record of formal discipline of current or former court personnel or of a person
109 regulated by the judicial branch if the disciplinary action has been completed, and all
110 time periods for administrative appeal have expired, and the disciplinary action was
111 sustained;
112
113 (2)(CC) record of a request for a record;
114
115 (2)(DD) reports used by the judiciary if all of the data in the report is public or the Judicial
116 Council designates the report as a public record;
117
118 (2)(EE) rules of the Supreme Court and Judicial Council;
119
120 (2)(FF) search warrants, the application and all affidavits or other recorded testimony on
121 which a warrant is based are public after they are unsealed under Rule 40 of the Utah
122 Rules of Criminal Procedure;
123
124 (2)(GG) statistical data derived from public and non-public records but that disclose only
125 public data; and
126
127 (2)(HH) notwithstanding subsections (6) and (7), if a petition, indictment, or information is
128 filed charging a person 14 years of age or older with a felony or an offense that would be
129 a felony if committed by an adult, the petition, indictment or information, the adjudication
130 order, the disposition order, and the delinquency history summary of the person are
131 public records. The delinquency history summary will contain the name of the person, a
132 listing of the offenses for which the person was adjudged to be within the jurisdiction of
133 the juvenile court, and the disposition of the court in each of those offenses. Upon a
134 finding of good cause on the record, the juvenile court may reclassify these records as
135 non-public.
136

137 **(3) Sealed Court Records.** The following court records are sealed:

138
139 (3)(A) records in the following actions:

140
141 (3)(A)(i) Utah Code, title 81, chapter 13, Adoption, six months after the
142 conclusion of proceedings, which are private until sealed;

143
144 (3)(A)(ii) Utah Code, title 81, chapter 5, part 8, Gestational Agreement, six
145 months after the conclusion of proceedings, which are private until sealed;

146
147 (3)(A)(iii) Utah Code section 76-7-304.5, Consent required for abortions
148 performed on minors; and

149
150 (3)(A)(iv) Utah Code section 78B-8-402, Actions for disease testing;
151

- 152 (3)(B) expunged records;
153
154 (3)(C) orders authorizing installation of pen register or trap and trace device under Utah
155 Code section 77-23a-15;
156
157 (3)(D) records showing the identity of a confidential informant;
158
159 (3)(E) records relating to the possession of a financial institution by the commissioner of
160 financial institutions under Utah Code section 7-2-6;
161
162 (3)(F) wills deposited for safe keeping under Utah Code, title 75, chapter 2, part 9,
163 Custody and Deposit of Wills;
164
165 (3)(G) records designated as sealed by rule of the Supreme Court;
166
167 (3)(H) record of a Children's Justice Center investigative interview after the conclusion of
168 any legal proceedings;
169
170 (3)(I) on appeal, any record previously designated as sealed by another court;
171
172 (3)(J) video record of a court proceeding, other than security video;
173
174 (3)(K) "nonpublic restitution record" as defined in Utah Code section 63M-7-502; and
175
176 (3)(L) other records as ordered by the court under Rule 4-202.04.
177

178 **(4) Private Court Records.** The following court records are private:
179

180 (4)(A) records in the following actions:
181

182 (4)(A)(i) Utah Code section 26B-5-332, Involuntary commitment under court
183 order;
184

185 (4)(A)(ii) Utah Code section 76-11-310, Removal from the National Instant Check
186 System database;
187

188 (4)(A)(iii) Utah Code, title 81, chapter 13, Adoption, until the records are sealed;
189

190 (4)(A)(iv) Utah Code, title 81, chapter 5, part 8, Gestational Agreement, until the
191 records are sealed;
192

193 (4)(A)(v) cases initiated in the district court by filing an abstract of a juvenile court
194 restitution judgment; and
195

196 (4)(A)(vi) Utah Code section 26B-8-111, Sex designation changes, and name
197 changes combined with sex designation changes for both minors and adults,
198 except that:
199

200 (4)(A)(vi)(a) the case history is public for minors; and
201

- 202 (4)(A)(vi)(b) the case history and record of public hearings are public for
203 adults.
204
- 205 (4)(B) records in the following actions, except that the case history, judgments, orders,
206 decrees, letters of appointment, and the record of public hearings are public records:
207
- 208 (4)(B)(i) Utah Code, title 81, Utah Domestic Relations Code, including qualified
209 domestic relations orders, except that an action for consortium due to personal
210 injury under Utah Code section 81-3-111 is public;
211
- 212 (4)(B)(ii) Utah Code, title 75, chapter 5, Protection of Persons Under Disability
213 and their Property;
214
- 215 (4)(B)(iii) Utah Code, title 78B, chapter 7, Protective Orders and Stalking
216 Injunctions;
217
- 218 (4)(B)(iv) Utah Code, title 81, chapter 6, Child Support;
219
- 220 (4)(B)(v) Utah Code, title 81, chapter 11, Utah Uniform Child Custody Jurisdiction
221 and Enforcement Act;
222
- 223 (4)(B)(vi) Utah Code, title 81, chapter 8, Uniform Interstate Family Support Act;
224
- 225 (4)(B)(vii) Utah Code, title 81, chapter 5, Utah Uniform Parentage Act; and
226
- 227 (4)(B)(viii) an action to modify or enforce a judgment in any of the actions in this
228 subparagraph (4)(B);
229
- 230 (4)(C) records related to determinations of indigency;
231
- 232 (4)(D) an affidavit supporting a motion to waive fees;
233
- 234 (4)(E) aggregate records other than public aggregate records under paragraph (2);
235
- 236 (4)(F) alternative dispute resolution records;
237
- 238 (4)(G) applications for accommodation under the Americans with Disabilities Act;
239
- 240 (4)(H) jail booking sheets;
241
- 242 (4)(I) citation, but an abstract of a citation that redacts all non-public information is public;
243
- 244 (4)(J) judgment information statement;
245
- 246 (4)(K) judicial review of final agency action under Utah Code section 80-2-707;
247
- 248 (4)(L) the following personal identifying information about a party: driver's license
249 number, social security number, account description and number, password,
250 identification number, maiden name and mother's maiden name, and similar personal
251 identifying information;
252

- 253 (4)(M) the following personal identifying information about a person other than a party or
254 a victim or witness of a crime: residential address, personal email address, personal
255 telephone number; date of birth, driver's license number, social security number,
256 account description and number, password, identification number, maiden name,
257 mother's maiden name, and similar personal identifying information;
258
- 259 (4)(N) medical, psychiatric, or psychological records;
260
- 261 (4)(O) name of a minor, except that the name of a minor party is public in the following
262 district and justice court proceedings:
263
- 264 (4)(O)(i) name change of a minor, unless the name change is combined with a
265 sex designation change;
266
- 267 (4)(O)(ii) guardianship or conservatorship for a minor;
268
- 269 (4)(O)(iii) felony, misdemeanor, or infraction when the minor is a party;
270
- 271 (4)(O)(iv) protective orders and stalking injunctions; and
272
- 273 (4)(O)(v) custody orders and decrees;
274
- 275 (4)(P) nonresident violator notice of noncompliance;
276
- 277 (4)(Q) personnel file of a current or former court personnel or applicant for employment;
278
- 279 (4)(R) photograph, film, or video of a crime victim;
280
- 281 (4)(S) record of a court hearing closed to the public or of a child's testimony taken under
282 Rule 15.5 of the Utah Rules of Criminal Procedure:
283
- 284 (4)(S)(i) permanently if the hearing is not traditionally open to the public and
285 public access does not play a significant positive role in the process; or
286
- 287 (4)(S)(ii) if the hearing is traditionally open to the public, until the judge
288 determines it is possible to release the record without prejudice to the interests
289 that justified the closure;
290
- 291 (4)(T) record submitted by a senior judge or court commissioner regarding performance
292 evaluation and certification;
293
- 294 (4)(U) record submitted for in camera review until its public availability is determined;
295
- 296 (4)(V) reports of investigations by Child Protective Services;
297
- 298 (4)(W) statement in support of petition to determine competency;
299
- 300 (4)(X) victim impact statements;
301

- 302 (4)(Y) name of a prospective juror summoned to attend court, unless classified by the
303 judge as safeguarded to protect the personal safety of the prospective juror or the
304 prospective juror's family;
305
- 306 (4)(Z) records filed pursuant to Rules 52 - 59 of the Utah Rules of Appellate Procedure,
307 except briefs filed pursuant to court order;
308
- 309 (4)(AA) records in a proceeding under Rule 60 of the Utah Rules of Appellate Procedure;
310
- 311 (4)(BB) records related to Court Commissioner Conduct Committee and Council actions
312 under Rule 3-201.02, other than a public censure by the Council;
313
- 314 (4)(CC) for an offense occurring on or after July 1, 2026, a court record that identifies a
315 victim of a crime by name rather than initials if, prior to the entry of final disposition,
316 judgment, or sentence in the case, a valid request is made under Rule 4-202.12; and
317
- 318 (4)(~~DD~~)(~~CC~~) other records as ordered by the court under Rule 4-202.04.
319

320 **(5) Protected Court Records.** The following court records are protected:

- 321
- 322 (5)(A) attorney's work product, including the mental impressions or legal theories of an
323 attorney or other representative of the courts concerning litigation, privileged
324 communication between the courts and an attorney representing, retained, or employed
325 by the courts, and records prepared solely in anticipation of litigation or a judicial, quasi-
326 judicial, or administrative proceeding;
327
- 328 (5)(B) records that are subject to the attorney client privilege;
329
- 330 (5)(C) bids or proposals until the deadline for submitting them has closed;
331
- 332 (5)(D) budget analyses, revenue estimates, and fiscal notes of proposed legislation
333 before issuance of the final recommendations in these areas;
334
- 335 (5)(E) budget recommendations, legislative proposals, and policy statements, that if
336 disclosed would reveal the court's contemplated policies or contemplated courses of
337 action;
338
- 339 (5)(F) court security plans;
340
- 341 (5)(G) investigation and analysis of loss covered by the risk management fund;
342
- 343 (5)(H) memorandum prepared by staff for a member of any body charged by law with
344 performing a judicial function and used in the decision-making process;
345
- 346 (5)(I) confidential business records under Utah Code section 63G-2-309;
347
- 348 (5)(J) record created or maintained for civil, criminal, or administrative enforcement
349 purposes, audit or discipline purposes, or licensing, certification or registration purposes,
350 if the record reasonably could be expected to:
351
- 352 (5)(J)(i) interfere with an investigation;

- 353
354 (5)(J)(ii) interfere with a fair hearing or trial;
355
356 (5)(J)(iii) disclose the identity of a confidential source; or
357
358 (5)(J)(iv) concern the security of a court facility;
359
360 (5)(K) record identifying property under consideration for sale or acquisition by the court
361 or its appraised or estimated value unless the information has been disclosed to
362 someone not under a duty of confidentiality to the courts;
363
364 (5)(L) record that would reveal the contents of settlement negotiations other than the
365 final settlement agreement;
366
367 (5)(M) record the disclosure of which would impair governmental procurement or give an
368 unfair advantage to any person;
369
370 (5)(N) record the disclosure of which would interfere with supervision of an offender's
371 incarceration, probation, or parole;
372
373 (5)(O) record the disclosure of which would jeopardize life, safety, or property;
374
375 (5)(P) strategy about collective bargaining or pending litigation;
376
377 (5)(Q) test questions and answers;
378
379 (5)(R) "trade secrets" as defined in Utah Code section 13-24-2;
380
381 (5)(S) record of a Children's Justice Center investigative interview before the conclusion
382 of any legal proceedings;
383
384 (5)(T) presentence investigation report;
385
386 (5)(U) probation progress/violation reports;
387
388 (5)(V) except for those filed with the court, records maintained and prepared by juvenile
389 probation;
390
391 [\(5\)\(W\) unredacted judicial officer financial disclosure forms](#); and
392
393 (5)(~~X~~W) other records as ordered by the court under Rule 4-202.04.
394

395 **(6) Juvenile Court Social Records.** The following are juvenile court social records:
396

- 397 (6)(A) correspondence relating to juvenile social records;
398
399 (6)(B) custody evaluations, parent-time evaluations, parental fitness evaluations,
400 substance abuse evaluations, domestic violence evaluations;
401
402 (6)(C) medical, psychological, psychiatric evaluations;
403

- 404 (6)(D) pre-disposition, dispositional, and social summary reports;
405
406 (6)(E) probation agency and institutional reports or evaluations;
407
408 (6)(F) referral reports;
409
410 (6)(G) report of preliminary inquiries;
411
412 (6)(H) treatment or service plans;
413
414 (6)(I) nonjudicial adjustment records; and
415
416 (6)(J) documents filed with the court that were received pursuant to the Utah Interstate
417 Compact for Juveniles.
418

419 **(7) Juvenile Court Legal Records.** The following are juvenile court legal records:
420

- 421 (7)(A) accounting records;
422
423 (7)(B) discovery filed with the court;
424
425 (7)(C) pleadings, summonses, subpoenas, motions, affidavits, calendars, minutes,
426 findings, orders, decrees, probable cause statements;
427
428 (7)(D) name of a party or minor;
429
430 (7)(E) record of a court hearing;
431
432 (7)(F) referral and offense histories; and
433
434 (7)(G) any other juvenile court record regarding a minor that is not designated as a
435 social record.
436

437 **(8) Safeguarded Court Records.** The following court records are safeguarded:
438

- 439 (8)(A) upon request, location information, contact information, and identity information,
440 other than the name of a petitioner and other persons to be protected, in an action filed
441 under Utah Code, title 78B, chapter 7, Protective Orders and Stalking Injunctions;
442
443 (8)(B) upon request, location information, contact information and identity information,
444 other than the name of a party or the party's child, after showing by affidavit that the
445 health, safety, or liberty of the party or child would be jeopardized by disclosure in a
446 proceeding under Utah Code, title 81, chapter 11, Utah Uniform Child Custody
447 Jurisdiction and Enforcement Act, Utah Code, title 81, chapter 8, Uniform Interstate
448 Family Support Act; or Utah Code, title 81, chapter 5, Utah Uniform Parentage Act;
449
450 (8)(C) upon request, if the information has been safeguarded under paragraph (8)(A) or
451 (8)(B), location information, contact information and identity information, other than the
452 name of a party or the party's child, in a proceeding under Utah Code, title 81, Utah
453 Domestic Relations Code;
454

455 (8)(D) location information, contact information, and identity information of prospective
456 jurors on the master jury list or the qualified jury list;

457
458 (8)(E) location information, contact information, and identity information other than name
459 of a prospective juror summoned to attend court; and

460
461 (8)(F) the following information about a victim or witness of a crime, including, upon
462 receipt of notice, a participant in the Safe at Home Program under Utah Code, title 77,
463 chapter 38, part 6, Safe at Home Program:

464
465 (8)(F)(i) business and personal address, email address, telephone number, and
466 similar information from which the person can be located or contacted;

467
468 (8)(F)(ii) date of birth, driver's license number, social security number, account
469 description and number, password, identification number, maiden name,
470 mother's maiden name, and similar personal identifying information;

471
472 (8)(F)(iii) except for a Safe at Home Program participant's assigned address,
473 documents showing a participant's enrollment, including the authorization card,
474 for a program participant under Utah Code, title 77, chapter 38, part 6, Safe at
475 Home Program.

476

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