

1 **Rule 4-403. Electronic signature and signature stamp use.**

2 **Intent:**

3 To establish a uniform procedure for the use of judges' and commissioners' electronic
4 signatures and signature stamps.

5 **Applicability:**

6 This rule shall apply to all trial courts of record and not of record.

7 **Statement of the Rule:**

- 8 (1) A clerk may, with the prior approval of the judge or commissioner, use an electronic
9 signature or signature stamp in lieu of obtaining the judge's or commissioner's signature
10 on the following:
- 11 (1)(A) bail bonds from approved bondsmen;
 - 12 (1)(B) bench warrants;
 - 13 (1)(C) civil orders for dismissal when submitted by the plaintiff in uncontested
14 cases or when stipulated by both parties in contested cases;
 - 15 (1)(D) civil orders for dismissal pursuant to Rule 4-103, URCP 3 and URCP 4(b);
 - 16 (1)(E) orders to show cause and orders to appear/attend under URCP 7A(c)(4) and
17 URCP 7B(c)(4);
 - 18 (1)(F) orders to take into custody;
 - 19 (1)(G) summons;
 - 20 (1)(H) supplemental procedure orders;
 - 21 (1)(I) orders setting dates for hearing and for notice;
 - 22 (1)(J) orders on motions requesting the Department of Workforce Services (DWS) to
23 release information concerning a debtor, where neither DWS nor the debtor
24 opposes the motion;
 - 25 (1)(K) orders for transportation of a person in custody to a court hearing,
26 including writs of habeas corpus ad prosequendum and testificandum; and
 - 27 (1)(L) orders appointing a court visitor.
- 28 (2) When a clerk is authorized to use a judge's or commissioner's electronic signature or
29 signature stamp as provided in paragraph (1), the clerk shall sign his or her name on the
30 document directly beneath the electronic signature or stamped imprint of the judge's or
31 commissioner's signature.
- 32 (3) ~~In a case where a domestic relations injunction must be issued under URCP 109, the~~
33 ~~electronic signature of the judge assigned to the case may be automatically attached to~~
34 ~~the domestic relations injunction form approved by the Judicial Council, without the need~~
35 ~~for specific direction from the assigned judge and without the need for a clerk's signature~~
36 ~~accompanying the judge's signature. The electronic signature of a judge may be~~

37 automatically affixed to the following documents without the need for specific direction
38 from the assigned judge when issued using a form approved by the Judicial Council:

39 (3)(A) a domestic relations injunction issued under URCP 109;

40 and

41 (3)(B) an automatic expungement order issued under Utah Code § 77-40-114.

42 (4) All other documents requiring the judge's or commissioner's signature shall be personally
43 signed by the judge or commissioner, unless the judge or commissioner, on a document
44 by document basis, authorizes the clerk to use the judge's or commissioner's electronic
45 signature or signature stamp in lieu of the judge's or commissioner's signature. On such
46 documents, the clerk shall indicate in writing that the electronic signature or signature
47 stamp was used at the direction of the judge or commissioner and shall sign his or her
48 name directly beneath the electronic signature or stamped imprint of the judge's or
49 commissioner's signature.

50 *Effective ~~January 1, 2020~~ May 24, 2021*