

1 **Rule 4-208. Automated case processing procedures.**

2 **Intent:**

3 The intent of this rule is to govern the Administrative Office of the Court's development and
4 implementation of automated expungement and deferred traffic prosecution processes.

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6 This rule applies to cases in district, juvenile, and justice courts.

7 **Statement of the Rule:**

8 (1) **Definitions.** "Expunge" means to seal or otherwise restrict access to the individual's court
9 record.

10 (2) **Automated expungement and deferred traffic prosecution processes**

11 (2)(A) The Administrative Office of the Courts shall develop and implement automated
12 expungement and deferred traffic prosecution processes.

13 (2)(B) Automated processes must comply with the requirements outlined in the Utah
14 Rules of Procedure and the Utah Code.

15 (2)(C) All automated processes developed by the Administrative Office of the Courts
16 shall be approved by the Utah Judicial Council.

17 (2)(D) No automatic expungement orders under Utah Code Title 77, Chapter 40a, Part
18 2 shall issue outside of the automated processes approved by the Utah Judicial
19 Council.

20 (3) **Standing and automated orders**

21 (3)(A) The presiding officer of the Judicial Council may appoint a district or juvenile
22 court presiding judge as a signing judge for automatic expungements in all
23 district or juvenile courts within the presiding judge's district in accordance with
24 Rule 3-108.

25 (3)(B) The presiding officer of the Judicial Council may appoint a district court presiding
26 judge as a signing judge for automated deferred traffic prosecution orders in all
27 district courts within the presiding judge's district with jurisdiction over eligible
28 cases in accordance with Rule 3-108.

29 (3)(C) A justice court presiding judge may act as a signing judge for automatic
30 expungements and automated deferred traffic prosecution orders in all justice
31 courts within the presiding judge's district. The length of the assignment must
32 coincide with the judge's term as a presiding judge.

- 33 (3)(D) If the district, juvenile, or justice court presiding judge determines that the
34 requirements under the Utah Code, Utah Rules of Procedure, and this rule have
35 been met, the presiding judge shall issue a standing order authorizing the
36 Administrative Office of the Courts to prepare and automatically affix the
37 presiding judge's judicial signature to orders of expungement and deferred traffic
38 prosecution issued in relation to cases from that judicial district.
- 39 (3)(E) The form and content of automated orders must be approved by the Utah
40 Judicial Council.
- 41 (4) **Notice of action taken.** The Administrative Office the Courts shall send notice that an
42 order of deferred traffic prosecution has been issued in accordance with the Utah Rules of
43 Procedure. Notifications and orders may be sent electronically.

44 *Effective ~~May/November 1, 20~~ January 1, 2024*