

Todd Weiler proposes the following substitute bill:

**Court Fees and Administration Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Todd Weiler**

House Sponsor:

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to fees and various administrative procedures of the Utah court system.

**Highlighted Provisions:**

This bill:

- removes unused provisions;
- modifies language addressing bail to conform with recent statutory changes;
- provides that all civil document fees for justice courts and courts of record are provided at no charge to the state, state agencies, and political subdivisions;
- increases the filing fee surcharge for cases filed using the online court assistance program;
- updates terminology; and
- provides that a request for a protective order does not have a filing fee surcharge under the online court assistance program.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

- 17-22-27**, as last amended by Laws of Utah 2011, Chapter 297
- 76-3-301.5**, as last amended by Laws of Utah 2021, Chapter 260
- 76-3-301.7**, as enacted by Laws of Utah 2018, Chapter 214
- 77-2a-3**, as last amended by Laws of Utah 2024, Chapter 180
- 78A-2-301**, as last amended by Laws of Utah 2024, Chapter 366
- 78A-2-301.5**, as last amended by Laws of Utah 2022, Chapter 384

29 **78A-2-501**, as last amended by Laws of Utah 2019, Chapter 246

30 **78A-2-602**, as last amended by Laws of Utah 2018, Chapter 167

31 **78A-7-122**, as last amended by Laws of Utah 2020, Chapter 230

32

33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. Section **17-22-27** is amended to read:

35 **17-22-27 . Sheriff -- Assignment of court bailiffs -- Contract and costs.**

36 (1) The sheriff shall assign law enforcement officers or special function officers, as defined  
37 under Sections 53-13-103 and 53-13-105, to serve as court bailiffs and security officers  
38 in the courts of record and county justice courts as required by the rules of the Judicial  
39 Council.

40 (2)(a) The state court administrator shall enter into a contract with the county sheriff for  
41 bailiffs and building security officers for the district and juvenile courts within the  
42 county. The contract may not exceed amounts appropriated by the Legislature for  
43 that purpose. The county shall assume costs related to security administration,  
44 supervision, travel, equipment, and training of bailiffs.

45 (b) The contract shall specify the agreed services, costs of services, and terms of  
46 payment.

47 (c) If the court is located in the same facility as a state or local law enforcement agency  
48 and the county sheriff's office is not in close proximity to the court, the state court  
49 administrator in consultation with the sheriff may enter into a contract with the state  
50 or local law enforcement agency for bailiff and security services subject to meeting  
51 all other requirements of this section. If the services are provided by another agency,  
52 the county sheriff shall have no responsibility for the services under this section.

53 ~~[(3)(a) At the request of the court, the sheriff may appoint as a law clerk bailiff  
54 graduates of a law school accredited by the American Bar Association to provide  
55 security and legal research assistance. Any law clerk who is also a bailiff shall meet  
56 the requirements of Subsection (1) of this section.]~~

57 ~~[(b) The sheriff may appoint a law clerk bailiff by contract for a period not to exceed  
58 two years, who shall be exempt from the deputy sheriff merit service commission.]~~

59 Section 2. Section **76-3-301.5** is amended to read:

60 **76-3-301.5 . Uniform fine schedule -- Judicial Council.**

61 (1) The Judicial Council shall establish a uniform recommended fine schedule for each  
62 offense under Subsection 76-3-301(1).

- 63 (a) The fine for each offense shall proportionally reflect the seriousness of the offense  
 64 and other factors as determined in writing by the Judicial Council.
- 65 (b) The schedule shall be reviewed annually by the Judicial Council.
- 66 (c) The fines shall be collected as part of a criminal accounts receivable, as defined in  
 67 Section 77-32b-102, that is established under Section 77-32b-103.
- 68 (2) The schedule shall incorporate:
- 69 (a) criteria for determining aggravating and mitigating circumstances; and  
 70 (b) guidelines for enhancement or reduction of the fine, based on aggravating or  
 71 mitigating circumstances.
- 72 (3) Presentence investigation reports shall include documentation of aggravating and  
 73 mitigating circumstances as determined under the criteria, and a recommended fine  
 74 under the schedule.
- 75 ~~[(4) The Judicial Council shall also establish a separate uniform recommended fine  
 76 schedule for the juvenile court and by rule provide for its implementation.]~~
- 77 ~~[(5)]~~ (4) This section does not prohibit the court from in its discretion imposing no fine, or a  
 78 fine in any amount up to and including the maximum fine, for the offense.
- 79 Section 3. Section **76-3-301.7** is amended to read:
- 80 **76-3-301.7 . Compensatory service.**
- 81 (1) As used in this section, "compensatory service" means service or unpaid work  
 82 performed by a person, in lieu of the payment of a criminal fine, for:
- 83 (a) a state or local government agency;  
 84 (b) an entity that is approved as a nonprofit organization under Section 501(c) of the  
 85 Internal Revenue Code; or  
 86 (c) any other entity or organization if prior approval is obtained from the court.
- 87 (2) When a defendant is sentenced to pay a fine for an infraction, class C or class B  
 88 misdemeanor, the court shall consider allowing the defendant to complete compensatory  
 89 service in lieu of the payment of the fine or account receivable, exclusive of any victim  
 90 restitution imposed.
- 91 (3) A defendant who intends to ~~[forfeit bail]~~ voluntarily remit the fine or who is ordered to  
 92 pay a fine by the court for an infraction, class C or class B misdemeanor, shall be  
 93 informed by the court of the opportunity to perform compensatory service in lieu of the  
 94 fine or bail amount.
- 95 (4) The court shall credit timely completed compensatory service reported in accordance  
 96 with Subsection (5) against the fine or bail amount at the rate of \$10 per hour and shall

97 allow the defendant a reasonable amount of time to complete the service.

98 (5)(a) The court shall provide the defendant with instructions that inform the  
99 organization:

100 (i) about the requirements in Subsection (5)(b); and

101 (ii) that making a written false statement to the court about the defendant's  
102 compensatory service is punishable as a class B misdemeanor pursuant to Section  
103 76-8-504.

104 (b) The defendant shall report compensatory service hours to the court in a letter that:

105 (i) is on the organization's official letterhead and includes contact information for the  
106 organization's representative;

107 (ii) specifies the number of hours for which the defendant provided service;

108 (iii) contains a brief description of what the service involved; and

109 (iv) is signed by an authorized representative of the organization; or

110 (v) is in a form otherwise acceptable to the court.

111 (6) The court may refuse to accept compensatory service:

112 (a) completed prior to the date of sentencing;

113 (b) that has been submitted to another court for credit; or

114 (c) completed at an agency or organization or is a type of service that is specifically  
115 prohibited by the court.

116 Section 4. Section **77-2a-3** is amended to read:

117 **77-2a-3 . Manner of entry of plea -- Powers of court -- Expungement.**

118 (1)(a) Acceptance of any plea in anticipation of a plea in abeyance agreement shall be  
119 done in full compliance with the Utah Rules of Criminal Procedure, Rule 11.

120 (b) In cases charging offenses for which [~~bail may be forfeited~~] a fine may be voluntarily  
121 remitted under Section 77-7-21, a plea in abeyance agreement may be entered into  
122 without a personal appearance before a magistrate.

123 (2) A plea in abeyance agreement may provide that the court may, upon finding that the  
124 defendant has successfully completed the terms of the agreement:

125 (a) reduce the degree of the offense, enter a judgment of conviction for the lower degree  
126 of the offense, and impose a sentence for the lower degree of the offense;

127 (b) allow withdrawal of the defendant's plea and order the dismissal of the case; or

128 (c) issue an order of expungement for all records of the offense if:

129 (i) the defendant successfully completes a problem solving court program that is  
130 certified by the Judicial Council; and

- 131 (ii) the court allows the withdrawal of the defendant's plea and orders the dismissal of  
132 the case.
- 133 (3)(a) Upon finding that a defendant has successfully completed the terms of a plea in  
134 abeyance agreement and only as provided in the plea in abeyance agreement or as  
135 agreed to by all parties, the court may :
- 136 (i) reduce the degree of the offense, enter a judgment of conviction for the lower  
137 degree of the offense, and impose a sentence for the lower degree of the offense;
- 138 (ii) allow withdrawal of the defendant's plea and order the dismissal of the case; or
- 139 (iii) issue an order of expungement for all records of the offense if:
- 140 (A) the defendant successfully completes a problem solving court program that is  
141 certified by the Judicial Council; and
- 142 (B) the court allows the withdrawal of the defendant's plea and orders the  
143 dismissal of the case.
- 144 (b) Upon sentencing a defendant for any lesser offense in accordance with a plea in  
145 abeyance agreement, the court may not invoke Section 76-3-402 to further reduce the  
146 degree of the offense.
- 147 (4) The court may require the Department of Corrections to assist in the administration of  
148 the plea in abeyance agreement as if the defendant were on probation to the court under  
149 Section 77-18-105.
- 150 (5) The terms of a plea in abeyance agreement may include:
- 151 (a) an order that the defendant pay a nonrefundable plea in abeyance fee, with a  
152 surcharge based on the amount of the plea in abeyance fee, both of which shall be  
153 allocated in the same manner as if paid as a fine for a criminal conviction under  
154 Section 78A-5-110 and a surcharge under Title 51, Chapter 9, Part 4, Criminal  
155 Conviction Surcharge Allocation, and which may not exceed in amount the  
156 maximum fine and surcharge which could have been imposed upon conviction and  
157 sentencing for the same offense;
- 158 (b) an order that the defendant pay the costs of any remedial or rehabilitative program  
159 required by the terms of the agreement; and
- 160 (c) an order that the defendant comply with any other conditions that could have been  
161 imposed as conditions of probation upon conviction and sentencing for the same  
162 offense.
- 163 (6)(a) The terms of a plea in abeyance shall include:
- 164 (i) a specific amount of restitution that the defendant will pay, as agreed to by the

- 165 defendant and the prosecuting attorney;
- 166 (ii) a certification from the prosecuting attorney that:
- 167 (A) the prosecuting attorney has consulted with all victims, including the Utah
- 168 Office for Victims of Crime; and
- 169 (B) all victims, including the Utah Office for Victims of Crime, are not seeking
- 170 restitution; or
- 171 (iii) an agreement between the parties that restitution will be determined by the court
- 172 at a subsequent hearing in accordance with Section 77-38b-205.
- 173 (b) At a subsequent hearing described in Subsection (6)(a)(iii), the court shall order the
- 174 defendant, as a modified term of the plea in abeyance, to pay restitution to all victims
- 175 for the entire amount of pecuniary damages that are proximately caused by the
- 176 criminal conduct of the defendant.
- 177 (c) The court shall collect, receive, process, and distribute payments for restitution to the
- 178 victim, unless otherwise provided by law or by the plea in abeyance agreement.
- 179 (d) If the defendant does not successfully complete the terms of the plea in abeyance, the
- 180 court shall enter an order for restitution, in accordance with Chapter 38b, Crime
- 181 Victims Restitution Act, upon entering a sentence for the defendant.
- 182 (7)(a) A court may not hold a plea in abeyance without the consent of both the
- 183 prosecuting attorney and the defendant.
- 184 (b) A decision by a prosecuting attorney not to agree to a plea in abeyance is final.
- 185 (8) No plea may be held in abeyance in any case involving:
- 186 (a) a sexual offense against an individual who is under 14 years old; or
- 187 (b) a driving under the influence violation under Section 41-6a-502, 41-6a-502.5,
- 188 41-6a-517, 41-6a-520, 41-6a-520.1, 41-6a-521.1, 76-5-102.1, or 76-5-207.
- 189 (9)(a) If the terms of a plea in abeyance agreement allow a court to issue an order of
- 190 expungement as described in Subsection (2)(c), the prosecuting attorney shall make a
- 191 reasonable effort to provide notice to any victim of the offense of the terms of the
- 192 plea in abeyance agreement.
- 193 (b) The notice under Subsection (9)(a) shall:
- 194 (i) state that the victim has a right to object to the expungement; and
- 195 (ii) provide instructions for registering an objection with the court.
- 196 (c) If there is a victim of the offense, the victim may file an objection with the court
- 197 before the court makes a finding as to whether the defendant successfully completed
- 198 the terms of the plea in abeyance agreement as described in Subsection (3).

199 (d) The defendant may respond, in writing, to any objection filed by the victim within 14  
200 days after the day on which the objection is received by the court.

201 (10) If the court issues an order of expungement under Subsection (3)(a)(iii), the court shall:

202 (a) expunge all records of the case as described in Section 77-40a-401; and

203 (b) notify the Bureau of Criminal Identification of the order of expungement.

204 (11)(a) Upon receiving notice from the court of an expungement order as described in  
205 Subsection (10), the Bureau of Criminal Identification shall notify any agency, as  
206 defined in Section 77-40a-101, affected by the expungement order.

207 (b) For purposes of Subsection (11)(a), the Bureau of Criminal Identification may not  
208 notify the Board of Pardons and Parole of an expungement order if the individual has  
209 never been:

210 (i) sentenced to prison in this state; or

211 (ii) under the jurisdiction of the Board of Pardons and Parole.

212 (c) The Bureau of Criminal Identification shall forward a copy of the expungement order  
213 to the Federal Bureau of Investigation.

214 (12) The defendant may deliver copies of the expungement to any agency, as defined in  
215 Section 77-40a-101, affected by the order of expungement.

216 (13) If an agency receives an expungement order under this part, the agency shall expunge  
217 all records for the case in accordance with Section 77-40a-401.

218 Section 5. Section **78A-2-301** is amended to read:

219 **78A-2-301 . Civil fees of the courts of record -- Courts complex design.**

220 (1)(a) The fee for filing any civil complaint or petition invoking the jurisdiction of a  
221 court of record not governed by another subsection is \$375.

222 (b) The fee for filing a complaint or petition is:

223 (i) \$90 if the claim for damages or amount in interpleader exclusive of court costs,  
224 interest, and attorney fees is \$2,000 or less;

225 (ii) \$200 if the claim for damages or amount in interpleader exclusive of court costs,  
226 interest, and attorney fees is greater than \$2,000 and less than \$10,000;

227 (iii) \$375 if the claim for damages or amount in interpleader is \$10,000 or more;

228 (iv) except as provided in Subsection (1)(b)(v), \$325 if the petition is filed for an  
229 action described in Title 81, Chapter 4, Dissolution of Marriage;

230 (v) \$35 for a petition for temporary separation described in Section 81-4-104;

231 (vi) \$125 if the petition is for removal from the The Sex, Kidnap, and Child Abuse  
232 Offender Registry under Section 77-41-112; and

- 233 (vii) \$35 if the petition is for guardianship and the prospective ward is the biological  
234 or adoptive child of the petitioner.
- 235 (c) The fee for filing a small claims affidavit is:
- 236 (i) \$60 if the claim for damages or amount in interpleader exclusive of court costs,  
237 interest, and attorney fees is \$2,000 or less;
- 238 (ii) \$100 if the claim for damages or amount in interpleader exclusive of court costs,  
239 interest, and attorney fees is greater than \$2,000, but less than \$7,500; and
- 240 (iii) \$185 if the claim for damages or amount in interpleader exclusive of court costs,  
241 interest, and attorney fees is \$7,500 or more.
- 242 (d) The fee for filing a counter claim, cross claim, complaint in intervention, third party  
243 complaint, or other claim for relief against an existing or joined party other than the  
244 original complaint or petition is:
- 245 (i) \$55 if the claim for relief exclusive of court costs, interest, and attorney fees is  
246 \$2,000 or less;
- 247 (ii) \$165 if the claim for relief exclusive of court costs, interest, and attorney fees is  
248 greater than \$2,000 and less than \$10,000;
- 249 (iii) \$170 if the original petition is filed under Subsection (1)(a), the claim for relief is  
250 \$10,000 or more, or the party seeks relief other than monetary damages; and
- 251 (iv) \$130 if the original petition is filed for an action described in Title 81, Chapter 4,  
252 Dissolution of Marriage.
- 253 (e) The fee for filing a small claims counter affidavit is:
- 254 (i) \$50 if the claim for relief exclusive of court costs, interest, and attorney fees is  
255 \$2,000 or less;
- 256 (ii) \$70 if the claim for relief exclusive of court costs, interest, and attorney fees is  
257 greater than \$2,000, but less than \$7,500; and
- 258 (iii) \$120 if the claim for relief exclusive of court costs, interest, and attorney fees is  
259 \$7,500 or more.
- 260 (f) The fee for depositing funds under Section 57-1-29 when not associated with an  
261 action already before the court is determined under Subsection (1)(b) based on the  
262 amount deposited.
- 263 (g) The fee for filing a petition is:
- 264 (i) \$240 for trial de novo of an adjudication of the justice court or of the small claims  
265 department; and
- 266 (ii) \$80 for an appeal of a municipal administrative determination in accordance with

- 267 Section 10-3-703.7.
- 268 (h) The fee for filing a notice of appeal, petition for appeal of an interlocutory order, or  
269 petition for writ of certiorari is \$240.
- 270 (i) The fee for filing a petition for expungement is \$150.
- 271 (j)(i) Fifteen dollars of the fees established by Subsections (1)(a) through (i) shall be  
272 allocated to and between the Judges' Contributory Retirement Trust Fund and the  
273 Judges' Noncontributory Retirement Trust Fund, as provided in Title 49, Chapter  
274 17, Judges' Contributory Retirement Act, and Title 49, Chapter 18, Judges'  
275 Noncontributory Retirement Act.
- 276 (ii) Four dollars of the fees established by Subsections (1)(a) through (i) shall be  
277 allocated by the state treasurer to be deposited into the restricted account,  
278 Children's Legal Defense Account, as provided in Section 51-9-408.
- 279 (iii) Five dollars of the fees established under Subsections (1)(a) through (e), (1)(g),  
280 and (1)(s) shall be allocated to and deposited with the Dispute Resolution Account  
281 as provided in Section 78B-6-209.
- 282 (iv) Thirty dollars of the fees established by Subsections (1)(a), (1)(b)(iii) and (iv),  
283 (1)(d)(iii) and (iv), (1)(g)(ii), (1)(h), and (1)(i) shall be allocated by the state  
284 treasurer to be deposited into the restricted account, Court Security Account, as  
285 provided in Section 78A-2-602.
- 286 (v) Twenty dollars of the fees established by Subsections (1)(b)(i) and (ii), (1)(d)(ii)  
287 and (1)(g)(i) shall be allocated by the state treasurer to be deposited into the  
288 restricted account, Court Security Account, as provided in Section 78A-2-602.
- 289 (k) The fee for filing a judgment, order, or decree of a court of another state or of the  
290 United States is \$35.
- 291 (l) The fee for filing a renewal of judgment in accordance with Section 78B-6-1801 is  
292 50% of the fee for filing an original action seeking the same relief.
- 293 (m) The fee for filing probate or child custody documents from another state is \$35.
- 294 (n)(i) The fee for filing an abstract or transcript of judgment, order, or decree of the  
295 State Tax Commission is \$30.
- 296 (ii) The fee for filing an abstract or transcript of judgment of a court of law of this  
297 state or a judgment, order, or decree of an administrative agency, commission,  
298 board, council, or hearing officer of this state or of its political subdivisions other  
299 than the State Tax Commission, is \$50.
- 300 (o) The fee for filing a judgment by confession without action under Section 78B-5-205

- 301 is \$35.
- 302 (p) The fee for filing an award of arbitration for confirmation, modification, or vacation  
303 under Title 78B, Chapter 11, Utah Uniform Arbitration Act, that is not part of an  
304 action before the court is \$35.
- 305 (q) The fee for filing a petition or counter-petition to modify a domestic relations order  
306 other than a protective order or stalking injunction is \$100.
- 307 (r) The fee for filing any accounting required by law is:
- 308 (i) \$15 for an estate valued at \$50,000 or less;
- 309 (ii) \$30 for an estate valued at \$75,000 or less but more than \$50,000;
- 310 (iii) \$50 for an estate valued at \$112,000 or less but more than \$75,000;
- 311 (iv) \$90 for an estate valued at \$168,000 or less but more than \$112,000; and
- 312 (v) \$175 for an estate valued at more than \$168,000.
- 313 (s) The fee for filing a demand for a civil jury is \$250.
- 314 (t) The fee for filing a notice of deposition in this state concerning an action pending in  
315 another state under Utah Rules of Civil Procedure, Rule 30 is \$35.
- 316 (u) The fee for filing documents that require judicial approval but are not part of an  
317 action before the court is \$35.
- 318 (v) The fee for a petition to open a sealed record is \$35.
- 319 (w) The fee for a writ of replevin, attachment, execution, or garnishment is \$50 in  
320 addition to any fee for a complaint or petition.
- 321 (x)(i) The fee for a petition for authorization for a minor to marry required by Section  
322 81-2-304 is \$5.
- 323 (ii) The fee for a petition for emancipation of a minor provided in Title 80, Chapter 7,  
324 Emancipation, is \$50.
- 325 (y) The fee for a certificate issued under Section 26B-8-128 is \$8.
- 326 (z) The fee for a certified copy of a document is \$4 per document plus 50 cents per page.
- 327 (aa) The fee for an exemplified copy of a document is \$6 per document plus 50 cents per  
328 page.
- 329 (bb) The Judicial Council shall, by rule, establish a schedule of fees for copies of  
330 documents and forms and for the search and retrieval of records under Title 63G,  
331 Chapter 2, Government Records Access and Management Act. Fees under  
332 Subsection (1)(bb) and (cc) shall be credited to the court as a reimbursement of  
333 expenditures.
- 334 (cc) The Judicial Council may, by rule, establish a reasonable fee to allow members of

335 the public to conduct a limited amount of searches on the Xchange database without  
336 having to pay a monthly subscription fee.

337 (dd) There is no fee for services or the filing of documents not listed in this section or  
338 otherwise provided by law.

339 (ee) Except as provided in this section, all fees collected under this section are paid to  
340 the General Fund. Except as provided in this section, all fees shall be paid at the time  
341 the clerk accepts the pleading for filing or performs the requested service.

342 (ff) The [~~filing~~]-fees under this section may not be charged to the state, the state's  
343 agencies, or political subdivisions filing or defending any action. In judgments  
344 awarded in favor of the state, its agencies, or political subdivisions, except the Office  
345 of Recovery Services, the court shall order the filing fees and collection costs to be  
346 paid by the judgment debtor. The sums collected under this Subsection (1)(ff) shall  
347 be applied to the fees after credit to the judgment, order, fine, tax, lien, or other  
348 penalty and costs permitted by law.

349 (2)(a)(i) From March 17, 1994, until June 30, 1998, the state court administrator shall  
350 transfer all revenues representing the difference between the fees in effect after  
351 May 2, 1994, and the fees in effect before February 1, 1994, as dedicated credits  
352 to the Division of Facilities Construction and Management Capital Projects Fund.

353 (ii)(A) Except as provided in Subsection (2)(a)(ii)(B), the Division of Facilities  
354 Construction and Management shall use up to \$3,750,000 of the revenue  
355 deposited into the Capital Projects Fund under this Subsection (2)(a) to design  
356 and take other actions necessary to initiate the development of a courts  
357 complex in Salt Lake City.

358 (B) If the Legislature approves funding for construction of a courts complex in  
359 Salt Lake City in the 1995 Annual General Session, the Division of Facilities  
360 Construction and Management shall use the revenue deposited into the Capital  
361 Projects Fund under this Subsection (2)(a)(ii) to construct a courts complex in  
362 Salt Lake City.

363 (C) After the courts complex is completed and all bills connected with its  
364 construction have been paid, the Division of Facilities Construction and  
365 Management shall use any money remaining in the Capital Projects Fund under  
366 this Subsection (2)(a)(ii) to fund the Vernal District Court building.

367 (iii) The Division of Facilities Construction and Management may enter into  
368 agreements and make expenditures related to this project before the receipt of

- 369 revenues provided for under this Subsection (2)(a)(iii).
- 370 (iv) The Division of Facilities Construction and Management shall:
- 371 (A) make those expenditures from unexpended and unencumbered building funds
- 372 already appropriated to the Capital Projects Fund; and
- 373 (B) reimburse the Capital Projects Fund upon receipt of the revenues provided for
- 374 under this Subsection (2).
- 375 (b) After June 30, 1998, the state court administrator shall ensure that all revenues
- 376 representing the difference between the fees in effect after May 2, 1994, and the fees
- 377 in effect before February 1, 1994, are transferred to the Division of Finance for
- 378 deposit in the restricted account.
- 379 (c) The Division of Finance shall deposit all revenues received from the state court
- 380 administrator into the restricted account created by this section.
- 381 (d)(i) From May 1, 1995, until June 30, 1998, the state court administrator shall
- 382 transfer \$7 of the amount of a fine or bail forfeiture paid for a violation of Title
- 383 41, Motor Vehicles, in a court of record to the Division of Facilities Construction
- 384 and Management Capital Projects Fund. The division of money pursuant to
- 385 Section 78A-5-110 shall be calculated on the balance of the fine or bail forfeiture
- 386 paid.
- 387 (ii) After June 30, 1998, the state court administrator or a municipality shall transfer
- 388 \$7 of the amount of a fine or bail forfeiture paid for a violation of Title 41, Motor
- 389 Vehicles, in a court of record to the Division of Finance for deposit in the
- 390 restricted account created by this section. The division of money pursuant to
- 391 Section 78A-5-110 shall be calculated on the balance of the fine or bail forfeiture
- 392 paid.
- 393 (3)(a) There is created within the General Fund a restricted account known as the State
- 394 Courts Complex Account.
- 395 (b) The Legislature may appropriate money from the restricted account to the state court
- 396 administrator for the following purposes only:
- 397 (i) to repay costs associated with the construction of the court complex that were
- 398 funded from sources other than revenues provided for under this Subsection
- 399 (3)(b)(i); and
- 400 (ii) to cover operations and maintenance costs on the court complex.
- 401 Section 6. Section **78A-2-301.5** is amended to read:
- 402 **78A-2-301.5 . Civil fees for justice courts.**

- 403 (1) The fee for filing a small claims affidavit is:
- 404 (a) \$60 if the claim for damages or amount in interpleader exclusive of justice court  
405 costs, interest, and attorney fees is \$2,000 or less;
- 406 (b) \$100 if the claim for damages or amount in interpleader exclusive of justice court  
407 costs, interest, and attorney fees is greater than \$2,000, but less than \$7,500; and
- 408 (c) \$185 if the claim for damages or amount in interpleader exclusive of justice court  
409 costs, interest, and attorney fees is \$7,500 or more.
- 410 (2) The fee for filing a small claims counter affidavit is:
- 411 (a) \$50 if the claim for relief exclusive of justice court costs, interest, and attorney fees  
412 is \$2,000 or less;
- 413 (b) \$70 if the claim for relief exclusive of justice court costs, interest, and attorney fees  
414 is greater than \$2,000, but less than \$7,500; and
- 415 (c) \$120 if the claim for relief exclusive of justice court costs, interest, and attorney fees  
416 is \$7,500 or more.
- 417 (3) The fee for filing a petition for expungement is \$135.
- 418 (4) The fee for a petition to open a sealed record is \$35.
- 419 (5) The fee for a writ of replevin, attachment, execution, or garnishment is \$50 in addition  
420 to any fee for a complaint or petition.
- 421 (6) The fee for filing a notice of appeal to a court of record is \$10. This fee covers all  
422 services of the justice court on appeal but does not satisfy the trial de novo filing fee in  
423 the court of record.
- 424 (7) The fee for a certified copy of a document is \$4 per document plus 50 cents per page.
- 425 (8) The fee for an exemplified copy of a document is \$6 per document plus 50 cents per  
426 page.
- 427 (9) The fee schedule adopted by the Judicial Council for copies of documents and forms  
428 and for the search and retrieval of records under Title 63G, Chapter 2, Government  
429 Records Access and Management Act, shall apply.
- 430 (10) There is no fee for services or the filing of documents not listed in this section or  
431 otherwise provided by law.
- 432 (11) The [~~filing~~]fees under this section may not be charged to the state, its agencies, or  
433 political subdivisions filing or defending any action. In judgments awarded in favor of  
434 the state, its agencies, or political subdivisions, except the Office of Recovery Services,  
435 the court shall order the filing fees and collection costs to be paid by the judgment  
436 debtor. The sums collected under this Subsection (11) shall be applied to the fees after

437 credit to the judgment, order, fine, tax, lien, or other penalty and costs permitted by law.

438 Section 7. Section **78A-2-501** is amended to read:

439 **78A-2-501 . Definitions -- Online Court Assistance Program -- Purpose of**  
440 **program -- Online Court Assistance Account -- User's fee -- Use of fund.**

441 (1) As used in this part:

442 (a) "Account" means the Online Court Assistance Account created in this section.

443 (b) "Program" means the Online Court Assistance Program created in this section.

444 (2) There is created the "Online Court Assistance Program" administered by the  
445 Administrative Office of the Courts to provide the public with information about civil  
446 procedures and to assist the public in preparing and filing civil pleadings and other  
447 papers in:

448 (a) uncontested divorces;

449 (b) enforcement of orders in the divorce decree;

450 (c) landlord and tenant actions;

451 (d) guardianship actions; and

452 (e) other types of proceedings approved by the board.

453 (3) The purpose of the program shall be to:

454 (a) minimize the costs of civil litigation;

455 (b) improve access to the courts; and

456 (c) provide for informed use of the courts and the law by pro se litigants.

457 (4)(a) An additional [~~\$20~~] \$60 shall be added to the filing fee established by Sections  
458 78A-2-301 and 78A-2-301.5 if a person files a complaint, petition, [~~answer, or~~  
459 ~~response~~] counterclaim, or counterpetition prepared through the program. There shall  
460 be no fee for using the program or for papers filed subsequent to the initial pleading  
461 or for preparing a request for a protective order.

462 (b) There is created within the General Fund a restricted account known as the Online  
463 Court Assistance Account.

464 (5) [~~—~~]The fees collected under [~~this~~]Subsection (4) shall be deposited in the restricted  
465 account and appropriated by the Legislature to the Administrative Office of the Courts  
466 to develop, operate, and maintain the program and to support the use of the program  
467 through education of the public.

468 [(5)] (6) The Administrative Office of the Courts shall provide on the front page of the  
469 program website a listing of all forms and proceedings available to all pro se litigants  
470 within the program.

471 Section 8. Section **78A-2-602** is amended to read:

472 **78A-2-602 . Court Security Account -- Creation -- Funding -- Uses.**

- 473 (1) There is created a restricted account in the General Fund known as the "Court Security  
474 Account."
- 475 (2) The state treasurer shall deposit in the Court Security Account money from:  
476 (a) the surcharge established in Section 78A-2-601;  
477 (b) the portions of filing fees allocated under Subsections 78A-2-301(1)(j)(iv) and (v);  
478 and  
479 (c) the portions of a surcharge allocated under Subsections 78A-7-122(3) and (4)(b)(ii).
- 480 (3) The Court Security Account consists of money:  
481 (a) deposited by the state treasurer under Subsection (2); and  
482 (b) appropriated by the Legislature.
- 483 (4) Subject to appropriation, the Administrative Office of the Courts shall use the allocation  
484 to contract for court security at all [~~district and juvenile~~] courts of record throughout the  
485 state.

486 Section 9. Section **78A-7-122** is amended to read:

487 **78A-7-122 . Security surcharge -- Application -- Deposit in restricted accounts.**

- 488 (1) In addition to any fine, penalty, forfeiture, or other surcharge, a security surcharge of  
489 \$60 shall be assessed on all convictions for offenses listed in the uniform [~~bait~~] fine  
490 schedule adopted by the Judicial Council and moving traffic violations.
- 491 (2) The security surcharge shall be collected and distributed pro rata with any fine  
492 collected. A fine that would otherwise have been charged may not be reduced due to the  
493 imposition of the security surcharge.
- 494 (3) Twenty-eight dollars of the security surcharge shall be remitted to the state treasurer and  
495 distributed to the Court Security Account created in Section 78A-2-602.
- 496 (4) Thirty-two dollars of the security surcharge shall be allocated as follows:  
497 (a) the assessing court shall retain 20% of the amount collected for deposit into the  
498 general fund of the governmental entity; and  
499 (b) 80% shall be remitted to the state treasurer to be distributed as follows:  
500 (i) 62.5% to the treasurer of the county in which the justice court which remitted the  
501 amount is located;  
502 (ii) 25% to the Court Security Account created in Section 78A-2-602; and  
503 (iii) 12.5% to the Justice Court Technology, Security, and Training Account created  
504 in Section 78A-7-301.

505 (5) The court shall remit money collected in accordance with Title 51, Chapter 7, State  
506 Money Management Act.

507 Section 10. **Effective Date.**

508 This bill takes effect on May 7, 2025.