

Judicial Transparency and Information Access Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Logan J. Monson

Senate Sponsor: Brady Brammer

LONG TITLE

General Description:

This bill addresses public access to court records and proceedings and judicial financial disclosures.

Highlighted Provisions:

This bill:

- defines terms;
- addresses access to an audio recording of a public court proceeding;
- requires the Judicial Council to create and maintain a single website for all public court records;
- provides the requirements for the website containing all public court records;
- addresses fees for court records;
- requires the Judicial Council to create a rule on judicial financial disclosures and to report to the Judiciary Interim Committee; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

63G-2-302 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 172

78A-2-301 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 291

78A-2-301.5 (Effective 01/01/27), as last amended by Laws of Utah 2022, Chapter 384

ENACTS:

28 **78A-1-201 (Effective 01/01/27)**, Utah Code Annotated 1953
 29 **78A-1-203 (Effective 01/01/27)**, Utah Code Annotated 1953
 30 **78A-1-204 (Effective 01/01/27)**, Utah Code Annotated 1953
 31 **78A-2-114 (Effective 05/06/26)**, Utah Code Annotated 1953
 32 **78A-2-301.7 (Effective 01/01/27)**, Utah Code Annotated 1953

33 RENUMBERS AND AMENDS:

34 **78A-1-202 (Effective 01/01/27)**, (Renumbered from 78A-2-208, as last amended by
 35 Laws of Utah 2023, Chapter 394)

36
 37 *Be it enacted by the Legislature of the state of Utah:*

38 Section 1. Section **63G-2-302** is amended to read:

39 **63G-2-302 (Effective 01/01/27). Private records.**

40 (1) The following records are private:

- 41 (a) records concerning an individual's eligibility for unemployment insurance benefits,
 42 social services, welfare benefits, or the determination of benefit levels;
- 43 (b) records containing data on individuals describing medical history, diagnosis,
 44 condition, treatment, evaluation, or similar medical data;
- 45 (c) records of publicly funded libraries that when examined alone or with other records
 46 identify a patron;
- 47 (d) records received by or generated by or for:
- 48 (i) the Independent Legislative Ethics Commission, except for:
- 49 (A) the commission's summary data report that is required under legislative rule;
- 50 and
- 51 (B) any other document that is classified as public under legislative rule; or
- 52 (ii) a Senate or House Ethics Committee in relation to the review of ethics
 53 complaints, unless the record is classified as public under legislative rule;
- 54 (e) records received by, or generated by or for, the Independent Executive Branch Ethics
 55 Commission, except as otherwise expressly provided in Title 63A, Chapter 14,
 56 Review of Executive Branch Ethics Complaints;
- 57 (f) records received or generated for a Senate confirmation committee concerning
 58 character, professional competence, or physical or mental health of an individual:
- 59 (i) if, [~~prior to~~] before the meeting, the chair of the committee determines release of
 60 the records:
- 61 (A) reasonably could be expected to interfere with the investigation undertaken by

- 62 the committee; or
- 63 (B) would create a danger of depriving a person of a right to a fair proceeding or
- 64 impartial hearing; and
- 65 (ii) after the meeting, if the meeting was closed to the public;
- 66 (g) employment records concerning a current or former employee of, or applicant for
- 67 employment with, a governmental entity that would disclose that individual's home
- 68 address, home telephone number, social security number, insurance coverage, marital
- 69 status, or payroll deductions;
- 70 (h) records or parts of records under Section 63G-2-303 that a current or former
- 71 employee identifies as private according to the requirements of that section;
- 72 (i) that part of a record indicating a person's social security number or federal employer
- 73 identification number if provided under Section 31A-23a-104, 31A-25-202,
- 74 31A-26-202, 58-1-301, 58-55-302, 61-1-4, or 61-2f-203;
- 75 (j) that part of a voter registration record identifying a voter's:
- 76 (i) driver license or identification card number;
- 77 (ii) social security number, or last four digits of the social security number;
- 78 (iii) email address;
- 79 (iv) date of birth; or
- 80 (v) phone number;
- 81 (k) a voter registration record that is classified as a private record by the lieutenant
- 82 governor or a county clerk under Subsection 20A-2-101.1(5)(a), 20A-2-104(4)(h), or
- 83 20A-2-204(4)(b);
- 84 (l) a voter registration record that is withheld under Subsection 20A-2-104(7);
- 85 (m) a withholding request form described in Subsections 20A-2-104(7) and (8) and any
- 86 verification submitted in support of the form;
- 87 (n) a record or information regarding whether a voter returned a ballot with postage
- 88 attached;
- 89 (o) a record that:
- 90 (i) contains information about an individual;
- 91 (ii) is voluntarily provided by the individual; and
- 92 (iii) goes into an electronic database that:
- 93 (A) is designated by and administered under the authority of the [Chief
- 94 ~~Information Officer~~] chief information officer; and
- 95 (B) acts as a repository of information about the individual that can be

- 96 electronically retrieved and used to facilitate the individual's online interaction
97 with a state agency;
- 98 (p) information provided to the [~~Commissioner of Insurance~~] commissioner of insurance
99 under:
- 100 (i) Subsection 31A-23a-115(3)(a);
101 (ii) Subsection 31A-23a-302(4); or
102 (iii) Subsection 31A-26-210(4);
- 103 (q) information obtained through a criminal background check under Title 11, Chapter 40,
104 Criminal Background Checks by Political Subdivisions Operating Water Systems;
- 105 (r) information provided by an offender that is:
- 106 (i) required by the registration requirements of Title 53, Chapter 29, Sex, Kidnap, and
107 Child Abuse Offender Registry; and
108 (ii) not required to be made available to the public under Subsection 53-29-404(3)(a);
- 109 (s) a statement and any supporting documentation filed with the attorney general in
110 accordance with Section 34-45-107, if the federal law or action supporting the filing
111 involves homeland security;
- 112 (t) electronic toll collection customer account information received or collected under
113 Section 72-6-118 and customer information described in Section 17B-2a-815
114 received or collected by a public transit district, including contact and payment
115 information and customer travel data;
- 116 (u) an email address provided by a military or overseas voter under Section 20A-16-501;
- 117 (v) a completed military-overseas ballot that is electronically transmitted under Title
118 20A, Chapter 16, Uniform Military and Overseas Voters Act;
- 119 (w) records received by or generated by or for the Political Subdivisions Ethics Review
120 Commission established in Section 63A-15-201, except for:
- 121 (i) the commission's summary data report that is required in Section 63A-15-202; and
122 (ii) any other document that is classified as public in accordance with Title 63A,
123 Chapter 15, Political Subdivisions Ethics Review Commission;
- 124 (x) a record described in Section 53G-9-604 that verifies that a parent was notified of an
125 incident or threat;
- 126 (y) a criminal background check or credit history report conducted in accordance with
127 Section 63A-3-201;
- 128 (z) a record described in Subsection 53-5a-104(7);
- 129 (aa) on a record maintained by a county for the purpose of administering property taxes,

- 130 an individual's:
- 131 (i) email address;
- 132 (ii) phone number; or
- 133 (iii) personal financial information related to a person's payment method;
- 134 (bb) a record submitted by a taxpayer to establish the taxpayer's eligibility for an
- 135 exemption, deferral, abatement, or relief under:
- 136 (i) Title 59, Chapter 2, Part 11, Exemptions; or
- 137 (ii) Title 59, Chapter 2a, Tax Relief Through Property Tax;
- 138 (cc) a record provided by the State Tax Commission in response to a request under
- 139 Subsection 59-1-403(4)(y)(iii);
- 140 (dd) a record of the Child Welfare Legislative Oversight Panel regarding an individual
- 141 child welfare case, as described in Subsection 36-33-103(3);
- 142 (ee) a record relating to drug or alcohol testing of a state employee under Section
- 143 63A-17-1004;
- 144 (ff) a record relating to a request by a state elected official or state employee who has
- 145 been threatened to the Division of Technology Services to remove personal
- 146 identifying information from the open web under Section 63A-16-109;
- 147 (gg) a record including confidential information as that term is defined in Section
- 148 67-27-106; and
- 149 (hh) a record or notice received or generated under Title 53, Chapter 30, Security
- 150 Improvements Act, relating to:
- 151 (i) an application for certification described in Section 53-30-201; or
- 152 (ii) a security improvement, including a building permit application or building
- 153 permit for a security improvement described in Section 53-30-301.
- 154 (2) The following records are private if properly classified by a governmental entity:
- 155 (a) records concerning a current or former employee of, or applicant for employment
- 156 with a governmental entity, including performance evaluations and personal status
- 157 information such as race, religion, or disabilities, but not including records that are
- 158 public under Subsection 63G-2-301(2)(b) or 63G-2-301(3)(o) or private under
- 159 Subsection (1)(b);
- 160 (b) records describing an individual's finances, except that the following are public:
- 161 (i) records described in Subsection 63G-2-301(2);
- 162 (ii) information provided to the governmental entity for the purpose of complying
- 163 with a financial assurance requirement; or

- 164 (iii) records that must be disclosed in accordance with another statute or a rule
165 described in Section 78A-2-114;
- 166 (c) records of independent state agencies if the disclosure of those records would
167 conflict with the fiduciary obligations of the agency;
- 168 (d) other records containing data on individuals the disclosure of which constitutes a
169 clearly unwarranted invasion of personal privacy;
- 170 (e) records provided by the United States or by a government entity outside the state that
171 are given with the requirement that the records be managed as private records, if the
172 providing entity states in writing that the record would not be subject to public
173 disclosure if retained by it;
- 174 (f) any portion of a record in the custody of the Division of Aging and Adult Services,
175 created in Section 26B-6-102, that may disclose, or lead to the discovery of, the
176 identity of a person who made a report of alleged abuse, neglect, or exploitation of a
177 vulnerable adult; and
- 178 (g) audio and video recordings created by a body-worn camera, as defined in Section
179 77-7a-103, that record sound or images inside a home or residence except for
180 recordings that:
- 181 (i) depict the commission of an alleged crime;
- 182 (ii) record any encounter between a law enforcement officer and a person that results
183 in death or bodily injury, or includes an instance when an officer fires a weapon;
- 184 (iii) record any encounter that is the subject of a complaint or a legal proceeding
185 against a law enforcement officer or law enforcement agency;
- 186 (iv) contain an officer-involved critical incident as defined in Subsection
187 76-2-408(1)(f); or
- 188 (v) have been requested for reclassification as a public record by a subject or
189 authorized agent of a subject featured in the recording.
- 190 (3)(a) As used in this Subsection (3), "medical records" means medical reports, records,
191 statements, history, diagnosis, condition, treatment, and evaluation.
- 192 (b) Medical records in the possession of the University of Utah Hospital, its clinics,
193 doctors, or affiliated entities are not private records or controlled records under
194 Section 63G-2-304 when the records are sought:
- 195 (i) in connection with any legal or administrative proceeding in which the patient's
196 physical, mental, or emotional condition is an element of any claim or defense; or
197 (ii) after a patient's death, in any legal or administrative proceeding in which any

198 party relies upon the condition as an element of the claim or defense.
 199 (c) Medical records are subject to production in a legal or administrative proceeding
 200 according to state or federal statutes or rules of procedure and evidence as if the
 201 medical records were in the possession of a nongovernmental medical care provider.

202 Section 2. Section **78A-1-201** is enacted to read:

203 **Part 2. Public Access to Courts**

204 **78A-1-201 (Effective 01/01/27). Definitions for part.**

205 As used in this part:

- 206 (1) "Court" means the justice court, the district court, the juvenile court, the Business and
 207 Chancery Court, the Court of Appeals, or the Supreme Court.
 208 (2) "Court proceeding" means a proceeding, trial, or other appearance before a court of this
 209 state.
 210 (3) "Court record" means all or any portion of papers, documents, exhibits, orders,
 211 opinions, recordings, dockets, and other information that are made, entered, filed, or
 212 maintained by a court in connection with a case or court proceeding.
 213 (4) "Court record website" means the website for court records described in Subsection
 214 78A-1-204(1).
 215 (5) "Public court proceeding" means a court proceeding that is open to the public.
 216 (6) "Public court record" means any court record that is not prohibited by law from public
 217 disclosure.

218 Section 3. Section **78A-1-202**, which is renumbered from Section 78A-2-208 is renumbered
 219 and amended to read:

220 **~~[78A-2-208]~~ 78A-1-202 (Effective 01/01/27). Court proceedings to be public --**
 221 **Notice to public of recording -- Right to exclude in certain cases.**

222 [~~(1) The sittings of every court of this state are public, except as provided in Subsections (3)~~
 223 ~~and (4).]~~

- 224 (1) Except as otherwise provided in this section, a court proceeding is public.
 225 (2) The Judicial Council shall require that notice be given to the public that [~~the~~
 226 ~~proceedings are]~~ a court proceeding is being recorded when an electronic or digital
 227 recording system is being used during [court proceedings] the court proceeding.
 228 (3) The court may, in the court's discretion, during the examination of a witness exclude
 229 any and all other witnesses in [~~the proceedings]~~ the court proceeding.
 230 (4) In an action of divorce, criminal conversation, seduction, abortion, rape, or assault with
 231 intent to commit rape, the court may, in the court's discretion, exclude all persons who

232 do not have a direct interest in the [proceedings] court proceeding, except jurors,
233 witnesses, and officers of the court.

234 Section 4. Section **78A-1-203** is enacted to read:

235 **78A-1-203 (Effective 01/01/27). Audio recording of a public court proceeding --**
236 **Reporting requirement.**

237 (1)(a) An audio recording shall be made of each public court proceeding.

238 (b) An audio recording described in Subsection (1)(a) shall include all open portions of
239 the public court proceeding from the commencement of the public court proceeding
240 through the adjournment of the public court proceeding.

241 (2)(a) An individual may request an audio recording of a public court proceeding.

242 (b) Upon a request for an audio recording of a public court proceeding, the
243 Administrative Office of the Courts shall provide the audio recording to the
244 individual.

245 (c) To the extent possible, the Administrative Office of the Courts shall expedite a
246 request for an audio recording if the individual is a party to the public court
247 proceeding.

248 (d) An individual may only be charged a fee for an audio recording as described in
249 Section 78A-2-301.7.

250 (3) This section does not apply to a public court proceeding in the justice court.

251 (4) Before November 30, 2026, the Judicial Council shall report, in writing,
252 recommendations to the Judiciary Interim Committee on:

253 (a) whether audio recordings of public court proceedings should be freely available to
254 the public; and

255 (b) how audio recordings of public court proceedings can be made freely available to the
256 public.

257 Section 5. Section **78A-1-204** is enacted to read:

258 **78A-1-204 (Effective 01/01/27). Requirements for court record website.**

259 (1) The Judicial Council shall establish and maintain a single website that allows the public
260 to search and access all public court records in accordance with the requirements of this
261 section.

262 (2) To comply with Section 78A-2-233, the court record website shall provide remote
263 access to all public court records through a network or system that:

264 (a) is secure; and

265 (b) provides restricted access through security standards developed by the Judicial

266 Council, including a registration requirement under which a prospective user must
267 provide the prospective user's:

268 (i) identity;

269 (ii) business or residence address; and

270 (iii) citizenship status.

271 (3)(a) The court record website shall allow an individual to conduct a search by using:

272 (i) the name of a court;

273 (ii) the name of a party, judge, or attorney;

274 (iii) the name of a judicial district;

275 (iv) a case number;

276 (v) a case type;

277 (vi) a filing date;

278 (vii) the case status; and

279 (viii) for a criminal case:

280 (A) the section of the Utah Code under which an offense is charged; and

281 (B) the disposition of a charged offense.

282 (4) Except as provided in Section 78A-2-301.7, the Judicial Council may not require a
283 person to pay a fee to:

284 (a) access the court record website;

285 (b) create an account or register to obtain access to the court record website;

286 (c) conduct a search in the court record website; or

287 (d) download a document from the court record website.

288 (5) The Judicial Council shall post a link to the court record website in a prominent place
289 on the website for the Utah state courts.

290 Section 6. Section **78A-2-114** is enacted to read:

291 **78A-2-114 (Effective 05/06/26). Judicial financial disclosure -- Reporting**
292 **requirement.**

293 (1) As used in this section, "judicial officer" means a judge or a court commissioner of the
294 justice court, the district court, the juvenile court, the Business and Chancery Court, the
295 Court of Appeals, or the Supreme Court.

296 (2) The Judicial Council shall:

297 (a) by rule, require a judicial officer to submit an annual financial disclosure that is

298 comparable to the conflict of interest disclosure described in Section 20A-11-1604;

299 and

300 (b) post a judicial officer's annual financial disclosure described in Subsection (2)(a) on
 301 a website that allows the public to access the disclosure.

302 (3) Before November 1, 2026, the Judicial Council shall submit a written report describing
 303 the actions the Judicial Council has taken under Subsection (2) to the Judiciary Interim
 304 Committee.

305 Section 7. Section **78A-2-301** is amended to read:

306 **78A-2-301 (Effective 01/01/27). Civil fees of the courts of record -- Courts**
 307 **complex design.**

308 (1)

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

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

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

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

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

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

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

320 (vi) \$125 if the petition is for removal from the Sex, Kidnap, and Child Abuse
 321 Offender Registry under Section 53-29-204, 53-29-205, or 53-29-206; and

322 (vii) \$35 if the petition is for guardianship and the prospective ward is the biological
 323 or adoptive child of the petitioner.

324 (c) The fee for filing a small claims affidavit is:

325 (i) \$60 if the claim for damages or amount in interpleader exclusive of court costs,
 326 interest, and attorney fees is \$2,000 or less;

327 (ii) \$100 if the claim for damages or amount in interpleader exclusive of court costs,
 328 interest, and attorney fees is greater than \$2,000, but less than \$7,500; and

329 (iii) \$185 if the claim for damages or amount in interpleader exclusive of court costs,
 330 interest, and attorney fees is \$7,500 or more.

331 (d) The fee for filing a counter claim, cross claim, complaint in intervention, third party
 332 complaint, or other claim for relief against an existing or joined party other than the
 333 original complaint or petition is:

- 334 (i) \$55 if the claim for relief exclusive of court costs, interest, and attorney fees is
335 \$2,000 or less;
- 336 (ii) \$165 if the claim for relief exclusive of court costs, interest, and attorney fees is
337 greater than \$2,000 and less than \$10,000;
- 338 (iii) \$170 if the original petition is filed under Subsection (1)(a), the claim for relief is
339 \$10,000 or more, or the party seeks relief other than monetary damages; and
- 340 (iv) \$130 if the original petition is filed for an action described in Title 81, Chapter 4,
341 Dissolution of Marriage.
- 342 (e) The fee for filing a small claims counter affidavit is:
- 343 (i) \$50 if the claim for relief exclusive of court costs, interest, and attorney fees is
344 \$2,000 or less;
- 345 (ii) \$70 if the claim for relief exclusive of court costs, interest, and attorney fees is
346 greater than \$2,000, but less than \$7,500; and
- 347 (iii) \$120 if the claim for relief exclusive of court costs, interest, and attorney fees is
348 \$7,500 or more.
- 349 (f) The fee for depositing funds under Section 57-1-29 when not associated with an
350 action already before the court is determined under Subsection (1)(b) based on the
351 amount deposited.
- 352 (g) The fee for filing a petition is:
- 353 (i) \$240 for trial de novo of an adjudication of the justice court or of the small claims
354 department; and
- 355 (ii) \$80 for an appeal of a municipal administrative determination in accordance with
356 Section 10-3-703.7.
- 357 (h) The fee for filing a notice of appeal, petition for appeal of an interlocutory order, or
358 petition for writ of certiorari is \$240.
- 359 (i) The fee for filing a petition for expungement is \$150.
- 360 (j)(i) Fifteen dollars of the fees established by Subsections (1)(a) through (i) shall be
361 allocated to and between the Judges' Contributory Retirement Trust Fund and the
362 Judges' Noncontributory Retirement Trust Fund, as provided in Title 49, Chapter
363 17, Judges' Contributory Retirement Act, and Title 49, Chapter 18, Judges'
364 Noncontributory Retirement Act.
- 365 (ii) Four dollars of the fees established by Subsections (1)(a) through (i) shall be
366 allocated by the state treasurer to be deposited into the restricted account,
367 Children's Legal Defense Account, as provided in Section 51-9-408.

- 368 (iii) Five dollars of the fees established under Subsections (1)(a) through (e), (1)(g),
369 and (1)(s) shall be allocated to and deposited with the Dispute Resolution Account
370 as provided in Section 78B-6-209.
- 371 (iv) Thirty dollars of the fees established by Subsections (1)(a), (1)(b)(iii) and (iv),
372 (1)(d)(iii) and (iv), (1)(g)(ii), (1)(h), and (1)(i) shall be allocated by the state
373 treasurer to be deposited into the restricted account, Court Security Account, as
374 provided in Section 78A-2-602.
- 375 (v) Twenty dollars of the fees established by Subsections (1)(b)(i) and (ii), (1)(d)(ii)
376 and (1)(g)(i) shall be allocated by the state treasurer to be deposited into the
377 restricted account, Court Security Account, as provided in Section 78A-2-602.
- 378 (k) The fee for filing a judgment, order, or decree of a court of another state or of the
379 United States is \$35.
- 380 (l) The fee for filing a renewal of judgment in accordance with [~~Section 78B-6-1801~~]
381 Title 78B, Chapter 6, Part 18, Renewal of Judgment Act, is 50% of the fee for filing
382 an original action seeking the same relief.
- 383 (m) The fee for filing probate or child custody documents from another state is \$35.
- 384 (n)(i) The fee for filing an abstract or transcript of judgment, order, or decree of the
385 State Tax Commission is \$30.
- 386 (ii) The fee for filing an abstract or transcript of judgment of a court of law of this
387 state or a judgment, order, or decree of an administrative agency, commission,
388 board, council, or hearing officer of this state or of [its] the state's political
389 subdivisions other than the State Tax Commission, is \$50.
- 390 (o) The fee for filing a judgment by confession without action under Section 78B-5-205
391 is \$35.
- 392 (p) The fee for filing an award of arbitration for confirmation, modification, or vacation
393 under Title 78B, Chapter 11, Utah Uniform Arbitration Act, that is not part of an
394 action before the court is \$35.
- 395 (q) The fee for filing a petition or counter-petition to modify a domestic relations order
396 other than a protective order or stalking injunction is \$100.
- 397 (r) The fee for filing any accounting required by law is:
- 398 (i) \$15 for an estate valued at \$50,000 or less;
- 399 (ii) \$30 for an estate valued at \$75,000 or less but more than \$50,000;
- 400 (iii) \$50 for an estate valued at \$112,000 or less but more than \$75,000;
- 401 (iv) \$90 for an estate valued at \$168,000 or less but more than \$112,000; and

- 402 (v) \$175 for an estate valued at more than \$168,000.
- 403 (s) The fee for filing a demand for a civil jury is \$250.
- 404 (t) The fee for filing a notice of deposition in this state concerning an action pending in
405 another state under Utah Rules of Civil Procedure, Rule 30 is \$35.
- 406 (u) The fee for filing documents that require judicial approval but are not part of an
407 action before the court is \$35.
- 408 (v) The fee for a petition to open a sealed record is \$35.
- 409 (w) The fee for a writ of replevin, attachment, execution, or garnishment is \$50 in
410 addition to any fee for a complaint or petition.
- 411 (x)(i) The fee for a petition for authorization for a minor to marry required by Section
412 81-2-304 is \$5.
- 413 (ii) The fee for a petition for emancipation of a minor provided in Title 80, Chapter 7,
414 Emancipation, is \$50.
- 415 (y) The fee for a certificate issued under Section 26B-8-128 is \$8.
- 416 (z) The fee for a certified copy of a document is \$4 per document plus 50 cents per page.
- 417 (aa) The fee for an exemplified copy of a document is \$6 per document plus 50 cents per
418 page.
- 419 ~~[(bb) The Judicial Council shall, by rule, establish a schedule of fees for copies of
420 documents and forms and for the search and retrieval of records under Title 63G,
421 Chapter 2, Government Records Access and Management Act. Fees under
422 Subsection (1)(bb) and (cc) shall be credited to the court as a reimbursement of
423 expenditures.]~~
- 424 ~~[(cc) The Judicial Council may, by rule, establish a reasonable fee to allow members of
425 the public to conduct a limited amount of searches on the Xchange database without
426 having to pay a monthly subscription fee.]~~
- 427 ~~[(dd) (2) There is no fee for services or the filing of documents not listed in this section or
428 otherwise provided by law.~~
- 429 ~~[(ee) (3) Except as provided in this section, all fees collected under this section are paid [tø]
430 into the General Fund[. Except as provided in this section, all fees shall be paid] at the
431 time the clerk accepts the pleading for filing or performs the requested service.~~
- 432 ~~[(ff) (4) The filing fees under this section may not be charged to the state, the state's
433 agencies, or political subdivisions filing or defending any action.~~
- 434 (5)(a) ~~[H] Except as provided in Subsection (5)(b), in judgments awarded in favor of the
435 state[, its] or the state's agencies[;] or political subdivisions, ~~[except the Office of~~~~

436 Recovery Services,]the court shall order the filing fees and collection costs to be
437 paid by the judgment debtor.

438 (b) Subsection (5)(a) does not apply to a judgment awarded in favor of the Office of
439 Recovery Services.

440 (c) The sums collected under [~~this Subsection (1)(ff)~~] Subsection (5)(a) shall be applied
441 to the fees after credit to the judgment, order, fine, tax, lien, or other penalty and
442 costs permitted by law.

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

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

453 [(B) If the Legislature approves funding for construction of a courts complex in
454 Salt Lake City in the 1995 Annual General Session, the Division of Facilities
455 Construction and Management shall use the revenue deposited into the Capital
456 Projects Fund under this Subsection (2)(a)(ii) to construct a courts complex in
457 Salt Lake City.]

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

462 [(iii) The Division of Facilities Construction and Management may enter into
463 agreements and make expenditures related to this project before the receipt of
464 revenues provided for under this Subsection (2)(a)(iii).]

465 [(iv) The Division of Facilities Construction and Management shall:]

466 [(A) make those expenditures from unexpended and unencumbered building funds
467 already appropriated to the Capital Projects Fund; and]

468 [(B) reimburse the Capital Projects Fund upon receipt of the revenues provided for
469 under this Subsection (2).]

470 ~~[(b)] (6)(a)~~ ~~[After June 30, 1998, the]~~ The state court administrator shall ensure that all
 471 revenues representing the difference between the fees in effect after May 2, 1994, and
 472 the fees in effect before February 1, 1994, are transferred to the Division of Finance
 473 for deposit ~~[in]~~ into the restricted account created in Subsection (7).

474 ~~[(e) The Division of Finance shall deposit all revenues received from the state court~~
 475 ~~administrator into the restricted account created by this section.]~~

476 ~~[(d)(i) From May 1, 1995, until June 30, 1998, the state court administrator shall~~
 477 ~~transfer \$7 of the amount of a fine or bail forfeiture paid for a violation of Title~~
 478 ~~41, Motor Vehicles, in a court of record to the Division of Facilities Construction~~
 479 ~~and Management Capital Projects Fund. The division of money pursuant to~~
 480 ~~Section 78A-5-110 shall be calculated on the balance of the fine or bail forfeiture~~
 481 ~~paid.]~~

482 ~~[(ii) After June 30, 1998, the]~~

483 (b)(i) The state court administrator or a municipality shall transfer \$7 of the amount
 484 of a fine, or [bail forfeiture] voluntary payment under Section 77-7-21, paid for a
 485 violation of Title 41, Motor Vehicles, in a court of record to the Division of
 486 Finance for deposit [in] into the restricted account created by this section.~~[The~~
 487 ~~division of money pursuant to Section 78A-5-110 shall be calculated on the~~
 488 ~~balance of the fine or bail forfeiture paid.]~~

489 (ii) The remaining amount of the fine, or voluntary payment under Section 77-7-21,
 490 after the \$7 transfer described in Subsection (6)(b)(i) shall be allocated in
 491 accordance with Section 78A-5-110.

492 (iii) The Division of Finance shall deposit all revenues received under this Subsection
 493 (6) into the restricted account created in Subsection (7).

494 ~~[(3)] (7)(a)~~ There is created within the General Fund a restricted account known as the
 495 State Courts Complex Account.

496 (b) The Legislature may appropriate money from the restricted account to the state court
 497 administrator for the following purposes only:

498 (i) to repay costs associated with the construction of the court complex that were
 499 funded from sources other than revenues provided for under this Subsection [
 500 ~~(3)(b)(i)] (7)(b)(i); and~~

501 (ii) to cover operations and maintenance costs on the court complex.

502 Section 8. Section **78A-2-301.5** is amended to read:

503 **78A-2-301.5 (Effective 01/01/27). Civil fees for justice courts.**

- 504 (1) The fee for filing a small claims affidavit is:
- 505 (a) \$60 if the claim for damages or amount in interpleader exclusive of justice court
506 costs, interest, and attorney fees is \$2,000 or less;
- 507 (b) \$100 if the claim for damages or amount in interpleader exclusive of justice court
508 costs, interest, and attorney fees is greater than \$2,000, but less than \$7,500; and
- 509 (c) \$185 if the claim for damages or amount in interpleader exclusive of justice court
510 costs, interest, and attorney fees is \$7,500 or more.
- 511 (2) The fee for filing a small claims counter affidavit is:
- 512 (a) \$50 if the claim for relief exclusive of justice court costs, interest, and attorney fees
513 is \$2,000 or less;
- 514 (b) \$70 if the claim for relief exclusive of justice court costs, interest, and attorney fees
515 is greater than \$2,000, but less than \$7,500; and
- 516 (c) \$120 if the claim for relief exclusive of justice court costs, interest, and attorney fees
517 is \$7,500 or more.
- 518 (3) The fee for filing a petition for expungement is \$135.
- 519 (4) The fee for a petition to open a sealed record is \$35.
- 520 (5) The fee for a writ of replevin, attachment, execution, or garnishment is \$50 in addition
521 to any fee for a complaint or petition.
- 522 (6)(a) The fee for filing a notice of appeal to a court of record is \$10.[-]
- 523 (b) [~~This~~] The fee described in Subsection (6)(a) covers all services of the justice court
524 on appeal but does not satisfy the trial de novo filing fee in the court of record.
- 525 (7) The fee for a certified copy of a document is \$4 per document plus 50 cents per page.
- 526 (8) The fee for an exemplified copy of a document is \$6 per document plus 50 cents per
527 page.
- 528 (9) The fee schedule adopted by the Judicial Council for copies of documents and forms
529 and for the search and retrieval of records under Title 63G, Chapter 2, Government
530 Records Access and Management Act, shall apply.
- 531 (10) There is no fee for services or the filing of documents not listed in this section or
532 otherwise provided by law.
- 533 (11)(a) The filing fees under this section may not be charged to the state[~~, its~~] or the
534 state's agencies[~~;~~] or political subdivisions filing or defending any action.[-]
- 535 (b) [~~It~~] Except as provided in Subsection (11)(c), in judgments awarded in favor of the
536 state[~~, its~~] or the state's agencies[~~;~~] or political subdivisions, [~~except the Office of~~
537 ~~Recovery Services,~~]the court shall order the filing fees and collection costs to be

- 538 paid by the judgment debtor.[-]
- 539 (c) Subsection (11)(b) does not apply to a judgment awarded in favor of the Office of
- 540 Recovery Services.
- 541 (d) The sums collected under this Subsection (11) shall be applied to the fees after credit
- 542 to the judgment, order, fine, tax, lien, or other penalty and costs permitted by law.
- 543 (12) The justice court may not impose any of the fees described in Subsection 78A-1-204(4)
- 544 for a public court record from the justice court that is in the court record website
- 545 described in Section 78A-1-204.
- 546 Section 9. Section **78A-2-301.7** is enacted to read:
- 547 **78A-2-301.7 (Effective 01/01/27). Fees for court records.**
- 548 (1) As used in this section, "court record website" means the website for court records
- 549 described in Section 78A-1-204.
- 550 (2) The Judicial Council shall, by rule and in accordance with Section 63G-2-702 and
- 551 Subsection 63G-2-203(3)(d), establish a schedule of fees for copies of documents and
- 552 forms and for the search and retrieval of records under Title 63G, Chapter 2,
- 553 Government Records Access and Management Act.
- 554 (3)(a) Except as provided in Subsection (3)(b), the Judicial Council may not establish
- 555 fees for the search and retrieval of records in the court record website.
- 556 (b) The Judicial Council may, by rule, require a person to pay a fee for:
- 557 (i) each search in the court record website that is beyond 50 for a calendar month; and
- 558 (ii) each download of a document in the court record website that is beyond 50 for a
- 559 calendar month.
- 560 (4) The Judicial Council may establish fees to search and retrieve an audio recording of a
- 561 public court proceeding under Section 78A-1-203, except that the Judicial Council may
- 562 not establish a fee or charge a fee:
- 563 (a) as provided in Subsection (5); or
- 564 (b) to a party requesting an audio recording of a public court proceeding.
- 565 (5) The fees under this section may not be charged to the state, the state's agencies, or
- 566 political subdivisions.
- 567 (6) A fee under this section shall be credited to the court as a reimbursement of
- 568 expenditures.
- 569 (7) The fees described in Section 78A-2-408 apply to a transcript or copy of a transcript.
- 570 Section 10. **Effective Date.**
- 571 (1) Except as provided in Subsection (2), this bill takes effect January 1, 2027.

572 (2) The actions affecting Section 78A-2-114 (Effective 05/06/26) take effect on May 6,
573 2026.