Judicial Transparency, Information Access, and Transition 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, judicial financial disclosures, and employment of a former judge.

Highlighted Provisions:

This bill:

- defines terms;
- requires the Administrative Office of the Courts to provide an audiostream for a public court proceeding;
- requires the Administrative Office of the Courts to create an audio recording of a public court proceeding and make the recording freely available for the public;
- requires the Judicial Council to create and maintain a single online database for all public court records;
- provides the requirements for the online database containing all public court records;
- prohibits a law firm from hiring a judge for two years after the judge leaves office in certain circumstances;
- 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:

None

Utah Code Sections Affected:

AMENDS:

78A-2-301, as last amended by Laws of Utah 2025, Chapter 291

78A-2-301.5, as last amended by Laws of Utah 2022, Chapter 384

ENACTS:

H.B. 540

78A-1-201, Utah Code Annotated 1953
78A-1-203, Utah Code Annotated 1953
78A-1-204, Utah Code Annotated 1953
78A-9a-101, Utah Code Annotated 1953
78A-9a-102, Utah Code Annotated 1953
78A-9a-103, Utah Code Annotated 1953
RENUMBERS AND AMENDS:
78A-1-202, (Renumbered from 78A-2-208, as last amended by Laws of Utah 2023, Chapter 394)

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

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

Part 2. Public Access to Courts

78A-1-201 . Definitions for part.

As used in this part:

(1) "Audiostream" means a live internet broadcast of audio.

(2) "Court" means the justice court, the district court, the juvenile court, the Business and Chancery Court, the Court of Appeals, or the Supreme Court.

(3) "Court record" means all or any portion of papers, documents, exhibits, orders, opinions, recordings, dockets, and other information that are made, entered, filed, or maintained by a court in connection with a case or proceeding.

(4) "Court record database" means the online database described in Subsection 78A-1-204(1).

(5) "Public court proceeding" means a hearing, trial, or other appearance before a court that is open to the public.

(6) "Public court record" means any court record that is not prohibited by law from public disclosure.

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

[~~78A-2-208~~] 78A-1-202 . Sittings of courts -- To be public -- Notice to public of recording -- Right to exclude in certain cases.

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

(2) The Judicial Council shall require that notice be given to the public that the proceedings

are being recorded when an electronic or digital recording system is being used during court proceedings.

(3) The court may, in the court's discretion, during the examination of a witness exclude any and all other witnesses in the proceedings.

(4) In an action of divorce, criminal conversation, seduction, abortion, rape, or assault with intent to commit rape, the court may, in the court's discretion, exclude all persons who do not have a direct interest in the proceedings, except jurors, witnesses and officers of the court.

Section 3. Section **78A-1-203** is enacted to read:

78A-1-203 . Audiostream of a court proceeding -- Recording of an audiostream.

(1) As used in this section, "court website" means the same as that term is defined in Section 78A-2-233.

(2) Except as provided in Subsection (5), the Administrative Office of the Courts shall:

(a) make an audiostream of a public court proceeding freely available to the public and provide a link to access the audiostream on a court website in a form that is easily accessible; and

(b)(i) create an audio recording of each audiostream of a public court proceeding;

(ii) post on a court website the audio recording, or a link to the audio recording, within three business days after the day on which the public court proceeding is held; and

(iii) make the audio recording, or link to the audio recording, freely available to the public on the court website.

(3) An audio recording described in Subsection (2)(b) shall:

(a) include all open portions of the public court proceeding from the commencement of the public court proceeding through the adjournment of the public court proceeding; and

(b) be properly labeled or identified with the date, time, and place of the public court proceeding.

(4) An audio recording of a public court proceeding that is posted on the court website under Subsection (2)(b) may not be removed or deleted from the website or made inaccessible to the public.

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

Section 4. Section **78A-1-204** is enacted to read:

78A-1-204 . Requirements for online court record database.

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

(b) The Judicial Council shall contract, in accordance with Title 63G, Chapter 6a, Utah Procurement Code, with a third party to establish and maintain the court record database under Subsection (1)(a).

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

(a) is secure; and

(b) provides restricted access through security standards developed by the Judicial Council, including a registration requirement under which a prospective user must provide the prospective user's:

(i) identity;

(ii) business or residence address; and

(iii) citizenship status.

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

(i) the name of a court;

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

(iii) the name of a judicial district;

(iv) a case number;

(v) a case type;

(vi) a filing date; or

(vii) search terms, including the ability to conduct a search for an exact match of search terms.

(4)(a) Except as provided in Subsection (4)(b), the Judicial Council may not require a person to pay a fee to:

(i) access the court record database;

(ii) create an account or register to obtain access to the court record database;

(iii) conduct a search in the court record database; or

(iv) download a document from the court record database.

(b) The Judicial Council may require a person to pay a fee for:

(i) each search in the court record database that is beyond 50 for a calendar month; and

(ii) each download of a document in the court record database that is beyond 50 for a

calendar month.

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

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

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

(1)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) $55 if the claim for relief exclusive of court costs, interest, and attorney fees is $2,000 or less;

(ii) $165 if the claim for relief exclusive of court costs, interest, and attorney fees is

greater than $2,000 and less than $10,000;

(iii) $170 if the original petition is filed under Subsection (1)(a), the claim for relief is $10,000 or more, or the party seeks relief other than monetary damages; and

(iv) $130 if the original petition is filed for an action described in Title 81, Chapter 4, Dissolution of Marriage.

(e) The fee for filing a small claims counter affidavit is:

(i) $50 if the claim for relief exclusive of court costs, interest, and attorney fees is $2,000 or less;

(ii) $70 if the claim for relief exclusive of court costs, interest, and attorney fees is greater than $2,000, but less than $7,500; and

(iii) $120 if the claim for relief exclusive of court costs, interest, and attorney fees is $7,500 or more.

(f) The fee for depositing funds under Section 57-1-29 when not associated with an action already before the court is determined under Subsection (1)(b) based on the amount deposited.

(g) The fee for filing a petition is:

(i) $240 for trial de novo of an adjudication of the justice court or of the small claims department; and

(ii) $80 for an appeal of a municipal administrative determination in accordance with Section 10-3-703.7.

(h) The fee for filing a notice of appeal, petition for appeal of an interlocutory order, or petition for writ of certiorari is $240.

(i) The fee for filing a petition for expungement is $150.

(j)(i) Fifteen dollars of the fees established by Subsections (1)(a) through (i) shall be allocated to and between the Judges' Contributory Retirement Trust Fund and the Judges' Noncontributory Retirement Trust Fund, as provided in Title 49, Chapter 17, Judges' Contributory Retirement Act, and Title 49, Chapter 18, Judges' Noncontributory Retirement Act.

(ii) Four dollars of the fees established by Subsections (1)(a) through (i) shall be allocated by the state treasurer to be deposited into the restricted account, Children's Legal Defense Account, as provided in Section 51-9-408.

(iii) Five dollars of the fees established under Subsections (1)(a) through (e), (1)(g), and (1)(s) shall be allocated to and deposited with the Dispute Resolution Account as provided in Section 78B-6-209.

(iv) Thirty dollars of the fees established by Subsections (1)(a), (1)(b)(iii) and (iv), (1)(d)(iii) and (iv), (1)(g)(ii), (1)(h), and (1)(i) shall be allocated by the state treasurer to be deposited into the restricted account, Court Security Account, as provided in Section 78A-2-602.

(v) Twenty dollars of the fees established by Subsections (1)(b)(i) and (ii), (1)(d)(ii) and (1)(g)(i) shall be allocated by the state treasurer to be deposited into the restricted account, Court Security Account, as provided in Section 78A-2-602.

(k) The fee for filing a judgment, order, or decree of a court of another state or of the United States is $35.

(l) The fee for filing a renewal of judgment in accordance with [~~Section 78B-6-1801~~] Title 78B, Chapter 6, Part 18, Renewal of Judgment Act, is 50% of the fee for filing an original action seeking the same relief.

(m) The fee for filing probate or child custody documents from another state is $35.

(n)(i) The fee for filing an abstract or transcript of judgment, order, or decree of the State Tax Commission is $30.

(ii) The fee for filing an abstract or transcript of judgment of a court of law of this state or a judgment, order, or decree of an administrative agency, commission, board, council, or hearing officer of this state or of [~~its~~] the state's political subdivisions other than the State Tax Commission, is $50.

(o) The fee for filing a judgment by confession without action under Section 78B-5-205 is $35.

(p) The fee for filing an award of arbitration for confirmation, modification, or vacation under Title 78B, Chapter 11, Utah Uniform Arbitration Act, that is not part of an action before the court is $35.

(q) The fee for filing a petition or counter-petition to modify a domestic relations order other than a protective order or stalking injunction is $100.

(r) The fee for filing any accounting required by law is:

(i) $15 for an estate valued at $50,000 or less;

(ii) $30 for an estate valued at $75,000 or less but more than $50,000;

(iii) $50 for an estate valued at $112,000 or less but more than $75,000;

(iv) $90 for an estate valued at $168,000 or less but more than $112,000; and

(v) $175 for an estate valued at more than $168,000.

(s) The fee for filing a demand for a civil jury is $250.

(t) The fee for filing a notice of deposition in this state concerning an action pending in

another state under Utah Rules of Civil Procedure, Rule 30 is $35.

(u) The fee for filing documents that require judicial approval but are not part of an action before the court is $35.

(v) The fee for a petition to open a sealed record is $35.

(w) The fee for a writ of replevin, attachment, execution, or garnishment is $50 in addition to any fee for a complaint or petition.

(x)(i) The fee for a petition for authorization for a minor to marry required by Section 81-2-304 is $5.

(ii) The fee for a petition for emancipation of a minor provided in Title 80, Chapter 7, Emancipation, is $50.

(y) The fee for a certificate issued under Section 26B-8-128 is $8.

(z) The fee for a certified copy of a document is $4 per document plus 50 cents per page.

(aa) The fee for an exemplified copy of a document is $6 per document plus 50 cents per page.

[~~(bb) The Judicial Council shall, by rule, establish a schedule of fees for copies of documents and forms and for the search and retrieval of records under Title 63G, Chapter 2, Government Records Access and Management Act. Fees under Subsection (1)(bb) and (cc) shall be credited to the court as a reimbursement of expenditures.~~]

[~~(cc) The Judicial Council may, by rule, establish a reasonable fee to allow members of the public to conduct a limited amount of searches on the Xchange database without having to pay a monthly subscription fee.~~]

[~~(dd)~~] (2) There is no fee for services or the filing of documents not listed in this section or otherwise provided by law.

(3)(a) The Judicial Council shall, by rule and in accordance with Section 63G-2-702, establish a schedule of fees for copies of documents and forms and for the search and retrieval of records under Title 63G, Chapter 2, Government Records Access and Management Act.

(b) The Judicial Council may not establish fees under Subsection (3)(a) for the search and retrieval of records in the court records database described in Section 78A-1-204.

(c) A fee under Subsection (3)(a) shall be credited to the court as a reimbursement of expenditures.

[~~(ee)~~] (4) Except as provided in this section, all fees collected under this section are paid [~~to~~] into the General Fund[~~. Except as provided in this section, all fees shall be paid~~] at the

time the clerk accepts the pleading for filing or performs the requested service.

[~~(ff)~~] (5) The filing fees under this section may not be charged to the state, the state's agencies, or political subdivisions filing or defending any action.

(6)(a) [~~In~~] Except as provided in Subsection (6)(b), in judgments awarded in favor of the state, [~~its~~] the state's agencies, or political subdivisions, [~~except the Office of Recovery Services, ~~]the court shall order the filing fees and collection costs to be paid by the judgment debtor.

(b) Subsection (6)(a) does not apply to a judgment awarded in favor of the Office of Recovery Services.

(c) The sums collected under [~~this Subsection (1)(ff)~~] Subsection (6)(a) shall be applied to the fees after credit to the judgment, order, fine, tax, lien, or other penalty and costs permitted by law.

[~~(2)~~] (7)[~~(a)(i) From March 17, 1994, until June 30, 1998, the state court administrator shall transfer all revenues representing the difference between the fees in effect after May 2, 1994, and the fees in effect before February 1, 1994, as dedicated credits to the Division of Facilities Construction and Management Capital Projects Fund.~~]

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

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

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

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

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

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

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

[~~(b)~~] (a) [~~After June 30, 1998, the~~] The state court administrator shall ensure that all revenues representing the difference between the fees in effect after May 2, 1994, and the fees in effect before February 1, 1994, are transferred to the Division of Finance for deposit [~~in~~] into the restricted account created in Subsection (8).

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

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

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

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

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

(iii) The Division of Finance shall deposit all revenues received under this Subsection (7) into the restricted account created in Subsection (8).

[~~(3)~~] (8)(a) There is created within the General Fund a restricted account known as the State Courts Complex Account.

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

(i) to repay costs associated with the construction of the court complex that were

funded from sources other than revenues provided for under this Subsection [~~(3)(b)(i)~~] (8)(b)(i); and

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

Section 6. Section **78A-2-301.5** is amended to read:

78A-2-301.5 . Civil fees for justice courts.

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

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

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

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

(2) The fee for filing a small claims counter affidavit is:

(a) $50 if the claim for relief exclusive of justice court costs, interest, and attorney fees is $2,000 or less;

(b) $70 if the claim for relief exclusive of justice court costs, interest, and attorney fees is greater than $2,000, but less than $7,500; and

(c) $120 if the claim for relief exclusive of justice court costs, interest, and attorney fees is $7,500 or more.

(3) The fee for filing a petition for expungement is $135.

(4) The fee for a petition to open a sealed record is $35.

(5) The fee for a writ of replevin, attachment, execution, or garnishment is $50 in addition to any fee for a complaint or petition.

(6)(a) The fee for filing a notice of appeal to a court of record is $10.[~~This fee~~]

(b) The fee described in Subsection (6)(a) covers all services of the justice court on appeal but does not satisfy the trial de novo filing fee in the court of record.

(7) The fee for a certified copy of a document is $4 per document plus 50 cents per page.

(8) The fee for an exemplified copy of a document is $6 per document plus 50 cents per page.

(9) The fee schedule adopted by the Judicial Council for copies of documents and forms and for the search and retrieval of records under Title 63G, Chapter 2, Government Records Access and Management Act, shall apply.

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

(11)(a) The filing fees under this section may not be charged to the state, [~~its~~] the state's agencies, or political subdivisions filing or defending any action.

(b) [~~In~~] Except as provided in Subsection (11)(d), in judgments awarded in favor of the state, [~~its~~] the state's agencies, or political subdivisions, [~~except the Office of Recovery Services, ~~]the court shall order the filing fees and collection costs to be paid by the judgment debtor.

(c) The sums collected under this Subsection (11) shall be applied to the fees after credit to the judgment, order, fine, tax, lien, or other penalty and costs permitted by law.

(d) Subsection (11)(b) does not apply to a judgment awarded in favor of the Office of Recovery Services.

(12) The justice court may not impose any of the fees described in Subsection 78A-1-204(4) for a public court record from the justice court that is in the court records database described in Section 78A-1-204.

Section 7. Section **78A-9a-101** is enacted to read:

CHAPTER 9a. Judges

78A-9a-101 . Definitions for chapter.

Reserved.

Section 8. Section **78A-9a-102** is enacted to read:

78A-9a-102 . Prohibition on hiring of a judge -- Time limit.

(1) As used in this section, "judge" means a judge of a court of record in this state.

(2) If a law firm is representing, or intends to represent, a person in an action in which the person is suing a government entity of this state, the law firm may not hire a judge after the judge leaves office for two calendar years, beginning on the day that the judge leaves office and ending on the two-year anniversary of that day.

(3) This section applies to any judge or former judge regardless of the date on which the judge or former judge leaves office.

Section 9. Section **78A-9a-103** is enacted to read:

78A-9a-103 . Judicial financial disclosure -- Reporting requirement.

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

(2) The Judicial Council shall:

(a) by rule, require a judicial officer to submit an annual financial disclosure that is consistent and comparable to the conflict of interest disclosure described in Section

20A-11-1604; and

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

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

Section 10. **Effective Date.**

This bill takes effect on May 6, 2026.