

Chapter 1 Judiciary

Part 1 Judiciary

78A-1-101 Courts of this state -- Courts of record.

- (1) The following are the courts of this state:
 - (a) the Supreme Court;
 - (b) the Court of Appeals;
 - (c) the Business and Chancery Court;
 - (d) the Constitutional Court if Chapter 5b, Constitutional Court, takes effect as described in Section 78A-5b-102;
 - (e) the district courts;
 - (f) the juvenile courts; and
 - (g) the justice courts.
- (2) All courts are courts of record, except the justice courts, which are courts not of record.

Amended by Chapter 38, 2026 General Session

78A-1-102 Trial courts of record -- Geographical divisions.

- (1) The district and juvenile courts are divided into eight geographical divisions:
 - (a) First Judicial District, which includes Box Elder, Cache, and Rich Counties;
 - (b) Second Judicial District, which includes Weber, Davis, and Morgan Counties;
 - (c) Third Judicial District, which includes Salt Lake, Summit, and Tooele Counties;
 - (d) Fourth Judicial District, which includes Utah, Wasatch, Juab, and Millard Counties;
 - (e) Fifth Judicial District, which includes Beaver, Iron, and Washington Counties;
 - (f) Sixth Judicial District, which includes Garfield, Kane, Piute, Sanpete, Sevier, and Wayne Counties;
 - (g) Seventh Judicial District, which includes Carbon, Emery, Grand, and San Juan Counties; and
 - (h) Eighth Judicial District, which includes Daggett, Duchesne, and Uintah Counties.
- (2) The Business and Chancery Court is not divided into geographical divisions.
- (3) If Chapter 5b, Constitutional Court, takes effect as described in Section 78A-5b-102, the Constitutional Court is not divided into geographical divisions.

Amended by Chapter 38, 2026 General Session

78A-1-103 Number of district court judges.

The number of district court judges is:

- (1) four district court judges in the First Judicial District;
- (2) 14 district court judges in the Second Judicial District;
- (3) 33 district court judges in the Third Judicial District;
- (4) 14 district court judges in the Fourth Judicial District;
- (5) eight district court judges in the Fifth Judicial District;
- (6) two district court judges in the Sixth Judicial District;
- (7) three district court judges in the Seventh Judicial District; and
- (8) three district court judges in the Eighth Judicial District.

Amended by Chapter 10, 2026 General Session

78A-1-103.5 Number of Business and Chancery Court judges -- Disqualification or recusal of a Business and Chancery Court judge.

- (1) The Business and Chancery Court shall consist of one judge.
- (2) If there are fewer than three judges for the Business and Chancery Court under Subsection (1), the presiding officer of the Judicial Council shall designate a pool of two district court judges to preside over actions in the Business and Chancery Court.
- (3) A district court judge designated under Subsection (2) may preside over an action when each Business and Chancery Court judge is unable to preside over an action due to recusal or disqualification.

Amended by Chapter 158, 2024 General Session

78A-1-103.7 Number of Constitutional Court judges.

If Chapter 5b, Constitutional Court, takes effect as described in Section 78A-5b-102, the Constitutional Court shall consist of three judges.

Enacted by Chapter 38, 2026 General Session

78A-1-104 Number of juvenile court judges.

The number of juvenile court judges is:

- (1) two juvenile court judges in the First Judicial District;
- (2) six juvenile court judges in the Second Judicial District;
- (3) nine juvenile court judges in the Third Judicial District;
- (4) seven juvenile court judges in the Fourth Judicial District;
- (5) three juvenile court judges in the Fifth Judicial District;
- (6) two juvenile court judges in the Sixth Judicial District;
- (7) two juvenile court judges in the Seventh Judicial District; and
- (8) two juvenile court judges in the Eighth Judicial District.

Amended by Chapter 148, 2024 General Session

78A-1-105 Merger of district court and circuit court.

- (1) Effective July 1, 1996, the circuit court shall be merged into the district court. The district court shall have jurisdiction as provided by law for the district court and shall have jurisdiction over all matters filed in the court formerly denominated the circuit court.
- (2) The district court shall continue the judicial offices, judges, staff, cases, authority, duties, and all other attributes of the court formerly denominated the circuit court.
- (3) Judges of the court formerly denominated the circuit court shall:
 - (a) on July 1, 1996, be judges of the district court; and
 - (b) next stand for retention election at the first general election held more than three years after their appointment or at the general election held in the sixth year after their last retention election, as applicable.

Renumbered and Amended by Chapter 3, 2008 General Session

78A-1-106 Transition clause -- Recodification of Title 78.

For purposes of a matter pending in any court beginning February 7, 2008 through August 31, 2008, citation to an appropriate section in the previous Title 78, Judicial Code, shall be considered a proper citation to the corresponding section in Title 78A, Judiciary and Judicial Administration, or Title 78B, Judicial Code.

Enacted by Chapter 123, 2008 General Session

78A-1-107 Savings clause -- Recodification of Title 78.

The provisions of Title 78A, Judiciary and Judicial Administration, and Title 78B, Judicial Code, are considered a continuation of the previous Title 78, Judicial Code. No loss of rights, interruption of jurisdiction, or prejudice to matters pending in any court on February 7, 2008, shall result from the enactment of Title 78A, Judiciary and Judicial Administration, and Title 78B, Judicial Code. With respect to the organization of the courts, the offices of all officers and employees, shall be construed as continuations of the previous Title 78, Judicial Code. The tenure of justices, judges, justices of the peace, officers, and employees of the courts in office on February 7, 2008, is not affected by its enactment.

Enacted by Chapter 123, 2008 General Session

Effective 1/1/2027

**Part 2
Public Access To Courts**

Effective 1/1/2027

78A-1-201 Definitions for part.

As used in this part:

- (1) "Court" means the justice court, the district court, the juvenile court, the Business and Chancery Court, the Court of Appeals, or the Supreme Court.
- (2) "Court proceeding" means a proceeding, trial, or other appearance before a court of this state.
- (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 court proceeding.
- (4) "Court record website" means the website for court records described in Subsection 78A-1-204(1).
- (5) "Public court proceeding" means a court proceeding that is open to the public.
- (6) "Public court record" means any court record that is not prohibited by law from public disclosure.

Enacted by Chapter 378, 2026 General Session

Effective 1/1/2027

78A-1-202 Court proceedings to be public -- Notice to public of recording -- Right to exclude in certain cases.

- (1) Except as otherwise provided in this section, a court proceeding is public.

- (2) The Judicial Council shall require that notice be given to the public that a court proceeding is being recorded when an electronic or digital recording system is being used during the court proceeding.
- (3) The court may, in the court's discretion, during the examination of a witness exclude any and all other witnesses in the court proceeding.
- (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 court proceeding, except jurors, witnesses, and officers of the court.

Renumbered and Amended by Chapter 378, 2026 General Session

Effective 1/1/2027

78A-1-203 Audio recording of a public court proceeding -- Reporting requirement.

- (1)
 - (a) An audio recording shall be made of each public court proceeding.
 - (b) An audio recording described in Subsection (1)(a) shall 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.
- (2)
 - (a) An individual may request an audio recording of a public court proceeding.
 - (b) Upon a request for an audio recording of a public court proceeding, the Administrative Office of the Courts shall provide the audio recording to the individual.
 - (c) To the extent possible, the Administrative Office of the Courts shall expedite a request for an audio recording if the individual is a party to the public court proceeding.
 - (d) An individual may only be charged a fee for an audio recording as described in Section 78A-2-301.7.
- (3) This section does not apply to a public court proceeding in the justice court.
- (4) Before November 30, 2026, the Judicial Council shall report, in writing, recommendations to the Judiciary Interim Committee on:
 - (a) whether audio recordings of public court proceedings should be freely available to the public; and
 - (b) how audio recordings of public court proceedings can be made freely available to the public.

Enacted by Chapter 378, 2026 General Session

Effective 1/1/2027

78A-1-204 Requirements for court record website.

- (1) The Judicial Council shall establish and maintain a single website that allows the public to search and access all public court records in accordance with the requirements of this section.
- (2) To comply with Section 78A-2-233, the court record website 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 website 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;
 - (vii) the case status; and
 - (viii) for a criminal case:
 - (A) the section of the Utah Code under which an offense is charged; and
 - (B) the disposition of a charged offense.
 - (4) Except as provided in Section 78A-2-301.7, the Judicial Council may not require a person to pay a fee to:
 - (a) access the court record website;
 - (b) create an account or register to obtain access to the court record website;
 - (c) conduct a search in the court record website; or
 - (d) download a document from the court record website.
 - (5) The Judicial Council shall post a link to the court record website in a prominent place on the website for the Utah state courts.

Enacted by Chapter 378, 2026 General Session