

COURT BUDGET AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John L. Valentine

House Sponsor: Eric K. Hutchings

LONG TITLE

General Description:

This bill makes changes in two court restricted accounts to allow more flexibility within the court's budget.

Highlighted Provisions:

This bill:

- ▶ allows the Justice Court Technology, Security, and Training Account to also cover expenditures for justice court audit expenditures; and

- ▶ adds information technology to the list of expenditures permitted by the Court Reporter Technology Account.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

78A-2-408, as last amended by Laws of Utah 2010, Chapter 34

78A-7-301, as renumbered and amended by Laws of Utah 2008, Chapter 3

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

Section 1. Section **78A-2-408** is amended to read:

78A-2-408. Transcripts and copies -- Fees.

(1) The Judicial Council shall by rule provide for a standard page format for transcripts

30 of court hearings.

31 (2) (a) The fee for a transcript of a court session, or any part of a court session, shall be
32 \$3.50 per page, which includes the initial preparation of the transcript and one certified copy.
33 The preparer shall deposit the original text file and printed transcript with the clerk of the court
34 and provide the person requesting the transcript with the certified copy. The cost of additional
35 copies shall be as provided in Subsection 78A-2-301(1). The transcript for an appeal shall be
36 prepared within the time period permitted by the rules of Appellate Procedure. The fee for a
37 transcript prepared within three business days of the request shall be 1-1/2 times the base rate.
38 The fee for a transcript prepared within one business day of the request shall be double the base
39 rate.

40 (b) When a transcript is ordered by the court, the fees shall be paid by the parties to the
41 action in equal proportion or as ordered by the court. The fee for a transcript in a criminal case
42 in which the defendant is found to be impecunious shall be paid pursuant to Section 77-32-305.

43 (c) There is established within the General Fund a restricted account known as the
44 Court Reporting Technology Account. The clerk of the court shall transfer to the state
45 treasurer for deposit into this account all fees received under this section. The state court
46 administrator may draw upon this account for the purchase, development, and maintenance of
47 court reporting technologies, information technology, and [for] other expenses necessary for
48 maintaining a verbatim record of court sessions.

49 (3) The fee for the preparation of a transcript of a court hearing by an official court
50 transcriber and the fee for the preparation of the transcript by a certified court reporter of a
51 hearing before any court, referee, master, board, or commission of this state shall be as
52 provided in Subsection (2)(a), and shall be payable to the person preparing the transcript.

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

54 **78A-7-301. Justice Court Technology, Security, and Training Account**
55 **established -- Funding -- Uses.**

56 There is created a restricted account in the General Fund known as the Justice Court
57 Technology, Security, and Training Account.

58 (1) The state treasurer shall deposit in the account money collected from the surcharge
59 established in Subsection 78A-6-122(3)(b)(iii).

60 (2) Money shall be appropriated from the account to the Administrative Office of the
61 Courts to [~~only~~] be used for audit, technology, security, and training needs in justice courts
62 throughout the state.