

**INDIGENT DEFENSE TRANSCRIPTS AMENDMENTS**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Todd D. Weiler**

House Sponsor: \_\_\_\_\_

**LONG TITLE**

**General Description:**

This bill amends provisions regarding court transcripts.

**Highlighted Provisions:**

This bill:

- ▶ addresses the cost of court transcripts in cases involving indigent individuals; and
- ▶ makes technical and conforming changes.

**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 2019, Chapter 326

*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 of court hearings.

(2) (a) ~~The~~ Except as provided in Subsection (2)(b), the fee for a transcript of a court



28 session, or any part of a court session, shall be \$4.50 per page, which includes the initial  
29 preparation of the transcript and one certified copy.

30 (b) The fee for a transcript in a case involving an indigent individual, as defined in  
31 Section 78B-22-102, shall be \$2.00 per page, which includes the initial preparation of the  
32 transcript and one certified copy.

33 (c) The preparer shall:

34 (i) deposit the original text file and printed transcript with the clerk of the court; and

35 (ii) provide the person requesting the transcript with the certified copy.

36 (d) The cost of additional copies of the transcript shall be as provided in Subsection  
37 78A-2-301(1).

38 (e) The transcript for an appeal shall be prepared within the time period permitted by  
39 [the rules] the Utah Rules of Appellate Procedure. [The fee for a transcript prepared within  
40 three business days of the request shall be 1-1/2 times the base rate. The fee for a transcript  
41 prepared within one business day of the request shall be double the base rate.]

42 (f) Except as provided in Subsection (2)(b), the fee for a transcript prepared:

43 (i) within three business days of the request, shall be 1-1/2 times the base rate; and

44 (ii) within one business day of the request, shall be double the base rate.

45 ~~[(b)]~~ (3) (a) When a transcript is ordered by the court, the fees shall be paid by the  
46 parties to the action in equal proportion or as ordered by the court.

47 (b) The fee for a transcript in a criminal case in which the defendant is found to be  
48 [indigent shall be paid pursuant to Section 78B-22-302] an indigent individual, as defined in  
49 Section 78B-22-102, shall be paid in accordance with Section 78B-22-203.

50 ~~[(3)]~~ (4) (a) The fee for the preparation of a transcript of a court hearing by an official  
51 court transcriber and the fee for the preparation of the transcript by a certified court reporter of  
52 a hearing before any court, referee, master, board, or commission of this state shall be [as  
53 provided in Subsection (2)(a), and shall be]:

54 (i) in accordance with Subsection (2); and

55 (ii) payable to the person preparing the transcript.

56 (b) Payment for a transcript under this section is the responsibility of the party  
57 requesting the transcript.