

1 Rule 3-413. Judicial library resources.

2 Intent:

3 To establish minimum standards for legal reference materials to be provided to
4 judicial and quasi-judicial officers and court employees.

5 To establish acquisition, distribution and budgetary responsibilities for the legal
6 reference materials identified in this rule for the state law librarian.

7 To realize financial advantages through the use of high volume purchases of
8 regularly used legal reference materials.

9 Applicability:

10 This rule shall apply to the state law library, all judges and commissioners of courts
11 of record and not of record and all court employees.

12 Statement of the Rule:

13 (1) Responsibility for providing judicial library resources.

14 (1)(A) Authorized publications. The following officials are authorized to receive the
15 publications indicated:

16 (1)(A)(i) a current set of the soft~~bound cover edition of the~~ Utah Code Unannotated
17 for each justice, judge, and commissioner of the courts of record for use in the justice's,
18 judge's, or commissioner's principal courtroom or hearing room and additional sets as
19 needed for actively-used courtrooms and hearing rooms, the administrative office
20 library, the Supreme Court and Court of Appeals chambers libraries, senior judges on
21 active status, staff of the administrative office and other senior managers as determined
22 by the state court administrator, and central staff attorneys;

23 ~~(1)(A)(ii) upon request an annual subscription to Utah Advance Reports and~~
24 ~~Annotations to justices, judges, and commissioners of the courts of record;~~

25 ~~(1)(A)(iii) an annual subscription to Utah Index to all justices, judges and~~
26 ~~commissioners of courts of record and the administrative office library;~~

27 ~~(1)(A)(iv)~~ (1)(A)(ii) one set of Utah Code Annotated 1953 with annual supplements,
28 indexes, rules, and replacement volumes to justices, judges, and commissioners of the
29 courts of record, staff of the administrative office and other senior managers as
30 determined by the state court administrator, central staff attorneys, appellate court law

31 clerks at a ratio of one set for two clerks, the administrative office library, and the
32 Supreme Court and Court of Appeals chambers libraries;

33 ~~(1)(A)(v)-(1)(A)(iii)~~ one copy of the Utah Court Rules Annotated for senior judges on
34 active status, staff of the administrative office and other senior managers as determined
35 by the state court administrator, the administrative office library, and the Supreme Court
36 and Court of Appeals chambers libraries; and

37 ~~(1)(A)(vi)-(1)(A)(iv)~~ one set of the Utah ~~2d~~ Reporters to justices, judges, and central
38 staff attorneys of the Supreme Court and Court of Appeals and a sufficient number for
39 the research needs of the trial courts of record; ;

40 ~~(1)(A)(vii) at least one copy of the Utah Administrative Code to each courthouse~~
41 ~~occupied by a trial court of record, the administrative office library, and the Supreme~~
42 ~~Court and Court of Appeals chambers libraries;~~

43 ~~(1)(A)(viii) a subscription to a law encyclopedia for each courthouse occupied by a~~
44 ~~trial court of record if not otherwise available through the county law library and for the~~
45 ~~Supreme Court and Court of Appeals chambers libraries; and~~

46 ~~(1)(A)(ix) at least one copy of the Utah Legislative Report for each courthouse~~
47 ~~occupied by a trial court of record, the administrative office library, and the Supreme~~
48 ~~Court and Court of Appeals chambers libraries.~~

49 (1)(B) The office of legislative printing. The current policy of the Office of Legislative
50 Printing is to provide the set of Utah Code Annotated 1953 with annual supplements,
51 indexes, rules, and replacement volumes to all justices and judges of courts of record
52 referred to in paragraph (1)(A)(iv) of this rule. The state law librarian shall coordinate the
53 distribution of these materials with the judges and the Office of Legislative Printing.

54 (1)(C) Publisher's complimentary copies. The current policy of the publishers of the
55 Pacific Reporter ~~and the Utah Advance Reports~~ is to provide complimentary volumes to
56 appellate judges as of the date of the judge's appointment to the appellate court. The
57 state law librarian shall coordinate the distribution of these materials with the judges and
58 the publishers.

59 (1)(D) State law library. Except for copies furnished as indicated in paragraphs (1)(B)
60 and (C) of this rule and the purchasing authority described in paragraphs (1)(E), (F),

61 and (G), the state law librarian shall purchase the publications authorized by this rule
62 and distribute them in accordance with this rule.

63 (1)(E) Counties. Each county shall provide a current copy of either the Utah Code
64 Annotated with annual updates or the softbound ~~edition of the~~ Utah Code Unannotated,
65 ~~and, upon request, an annual subscription to Utah Advance Reports and Annotations,~~ to
66 each county justice court judge serving within that county. Each county operating a
67 court of record under contract with the administrative office of the courts shall provide
68 the judge with access to the local law library pursuant to Section ~~78-3-13.4~~ 78A-5-111.

69 (1)(F) Municipalities. Each municipality shall provide a current copy of either the
70 Utah Code Annotated with annual updates or the softbound ~~edition of the~~ Utah Code
71 Unannotated, ~~and, upon request, an annual subscription to Utah Advance Reports and~~
72 ~~Annotations,~~ to each municipal justice court judge serving within that municipality. Each
73 municipality operating a court of record under contract with the administrative office of
74 the courts shall provide the judge with access to the local law library pursuant to Section
75 ~~78-3-13.4~~ 78A-5-111.

76 (1)(G) Counties and municipalities contracting with justice court judges. Each county
77 and municipality which contracts with a justice court judge pursuant to Utah Code Ann.
78 Section ~~78-5-134(7)~~ 78A-7-202 shall provide, at the location used by the judge within
79 the county or municipality, either the Utah Code Annotated with annual updates or the
80 softbound ~~edition of the~~ Utah Code Unannotated, ~~and, upon request, shall ensure that~~
81 ~~the judge has an annual subscription to Utah Advance Reports and Annotations.~~

82 (1)(H) Administrative office of the courts. The administrative office of the courts shall
83 provide a Justice Court Manual, updated biannually, to each judge of a court not of
84 record.

85 (2) Law libraries.

86 (2)(A) The State Law Library shall be supervised and administered by the state law
87 librarian under the general supervision of the Appellate Court Administrator.

88 (2)(B) The Appellate Courts' Chambers Library shall be ~~administered jointly by the~~
89 ~~Clerk of the Supreme Court and the Clerk of the Court of Appeals under the general~~
90 ~~supervision of the Appellate Court Administrator.~~ maintained by the State Law Library,
91 and the Appellate Courts shall pay for the materials in that collection.

92 (2)(C) The Council may authorize the establishment of chambers law libraries for
93 trial courts of record, provide update services consistent with funding limitations and
94 adopt minimum standards for those libraries.

95 (2)(D) For purposes of this rule, "chambers libraries" means those law libraries
96 which are established and maintained for the exclusive use of judicial officers and
97 employees and are not available for use by members of the public.

98 (3) Procedures.

99 (3)(A) The state law librarian shall separately account for the operating budget for
100 the state law library, trial court operations, appellate court operations, and administrative
101 operations. Funds appropriated or allocated to the appellate court, trial court, or
102 administrative operations shall not be used to supplement the appropriation to the state
103 law library.

104 (3)(B) The purchase of publications to fully implement the provisions of this rule shall
105 be limited by the availability of funds.

106 (3)(C) Any publication purchased with public funds shall be the property of the court
107 and not the property of any official. Publications provided to an official without charge to
108 the state shall be the personal property of the official.

109 (3)(D) Upon request of a justice, judge, commissioner or court employee, the state
110 law librarian shall make available legal reference publications or photocopies or
111 facsimile copies thereof for the use of the requesting party. The state law librarian shall
112 develop procedures for the control of publications removed from the library.

113 (3)(E) The state court administrator shall notify the state law librarian whenever there
114 is a change to the list of senior judges on active status. The court executive shall notify
115 the state law librarian whenever there is a change in the personnel authorized by this
116 rule to receive publications.

117 (4) Electronic data base legal research. The state court administrator shall, as funds
118 permit, develop access to legal reference materials stored on electronic data bases. As
119 such access is developed subscriptions to duplicative hard copy publications shall be
120 discontinued.

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