

1 **Rule 4-202.08. Fees for records, information, and services.**

2 Intent:

3 To establish uniform fees for requests for records, information, and services.

4 Applicability:

5 This rule applies to all courts of record and not of record and to the Administrative Office of the
6 Courts. This rule does not apply to the Self Help Center.

7 Statement of the Rule:

8 (1) Fees payable. Fees are payable to the court or office that provides the record, information, or
9 service at the time the record, information, or service is provided. The initial and monthly subscription fee
10 for public on-line services is due in advance. The connect-time fee is due upon receipt of an invoice. If a
11 public on-line services account is more than 60 days overdue, the subscription may be terminated. If a
12 subscription is terminated for nonpayment, the subscription will be reinstated only upon payment of past
13 due amounts and a reconnect fee equal to the subscription fee.

14 (2) Use of fees. Fees received are credited to the court or office providing the record, information, or
15 service in the account from which expenditures were made. Fees for public on-line services are credited
16 to the Administrative Office of the Courts to improve data quality control, information services, and
17 information technology.

18 (3) Copies. Copies are made of court records only. The term "copies" includes the original production.
19 Fees for copies are based on the number of record sources to be copied and are as follows:

20 (3)(A) paper except as provided in (H): \$.25 per sheet;

21 (3)(B) microfiche: \$1.00 per card;

22 (3)(C) audio tape: \$10.00 per tape;

23 (3)(D) video tape: \$15.00 per tape;

24 (3)(E) floppy disk or compact disk other than of court hearings: \$10.00 per disk;

25 (3)(F) electronic copy of court reporter stenographic text: \$25.00 for each one-half day of testimony or
26 part thereof;

27 (3)(G) electronic copy of audio record or video record of court proceeding: \$10.00 for each one-half
28 day of testimony or part thereof; and

29 (3)(H) pre-printed forms and associated information: an amount for each packet established by the
30 state court administrator.

31 (4)(A) Mailing. The fee for mailing is the actual cost. The fee for mailing shall include necessary
32 transmittal between courts or offices for which a public or private carrier is used.

33 (4)(B) Fax or e-mail. The fee to fax or e-mail a document is \$5.00 for 10 pages or less. The fee for
34 additional pages is \$.50 per page. Records available on Xchange will not be faxed or e-mailed.

35 (5) Personnel time. Personnel time to copy the record of a court proceeding is included in the copy
36 fee. For other matters, there is no fee for the first 15 minutes of personnel time. The fee for time beyond
37 the first 15 minutes is charged in 15 minute increments for any part thereof. The fee for personnel time is

38 charged at the following rates for the least expensive group capable of providing the record, information,
39 or service:

40 (5)(A) clerical assistant: \$15.00 per hour;

41 (5)(B) technician: \$22.00 per hour;

42 (5)(C) senior clerical: \$21.00 per hour

43 (5)(D) programmer/analyst: \$32.00 per hour;

44 (5)(E) manager: \$37.00 per hour; and

45 (5)(F) consultant: actual cost as billed by the consultant.

46 (6) Public on-line services.

47 (6)(A) The fee to subscribe to public on-line services shall be as follows:

48 (6)(A)(i) a set-up fee of \$25.00;

49 (6)(A)(ii) a subscription fee of \$30.00 per month for any portion of a calendar month; and

50 (6)(A)(iii) \$.10 for each search over 200 during a billing cycle. A search is counted each time the
51 search button is clicked.

52 (6)(B) When non-subscription access becomes available, the fee to access public on-line services
53 without subscribing shall be a transaction fee of \$5.00, which will allow up to 10 searches during a
54 session.

55 (6)(C) The fee to access a document shall be \$2.50 per document.

56 (7) No interference. Records, information, and services shall be provided at a time and in a manner
57 that does not interfere with the regular business of the courts. The Administrative Office of the Courts may
58 disconnect a user of public on-line services whose use interferes with computer performance or access
59 by other users.

60 (8) Waiver of fees.

61 (8)(A) Fees established by this rule other than fees for public on-line services shall be waived for:

62 (8)(A)(i) any government entity of Utah or its political subdivisions if the fee is minimal;

63 (8)(A)(ii) any person who is the subject of the record and who is impecunious; and

64 (8)(A)(iii) a student engaged in research for an academic purpose.

65 (8)(B) Fees for public on-line services shall be waived for:

66 (8)(B)(i) up to 10,000 searches per year for a news organization that gathers information for the
67 primary purpose of disseminating news to the public and that requests a record to obtain information for a
68 story or report for publication or broadcast to the general public;

69 (8)(B)(ii) any government entity of Utah or its political subdivisions;

70 (8)(B)(iii) the Utah State Bar;

71 (8)(B)(iv) public defenders for searches performed in connection with their duties as public defenders;
72 and

73 (8)(B)(v) any person or organization who the XChange administrator determines offers significant
74 legal services to a substantial portion of the public at no charge.