

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
6 Office of the Courts.

7 Statement of the Rule:

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

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

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

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

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

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

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

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

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

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

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

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

36 (4)(b) Fax. The fee for faxing is \$5.00 for 10 pages or less. The fee for additional
37 pages is \$.50 per page.

38 (5) Personnel time. Personnel time to copy the record of a court proceeding is
39 included in the copy fee. For other matters, there is no fee for the first 15 minutes of
40 personnel time. The fee for time beyond the first 15 minutes is charged in 15 minute
41 increments for any part thereof. The fee for personnel time is charged at the following
42 rates for the least expensive group capable of providing the record, information, or
43 service:

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

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

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

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

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

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

50 (6) Public on-line services.

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

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

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

55 ~~(6)(C)~~ (6)(A)(iii) \$.10 for each search over 200 during a billing cycle. A search is
56 counted each time the search button is clicked; ~~and~~

57 (6)(A)(iv) \$2.50 for each document accessed.

58 (6)(B) When non-subscription access becomes available, the fee to access public
59 on-line services without subscribing shall be as follows:

60 (6)(B)(i) a transaction fee of \$5.00, which will allow up to 10 searches during a
61 session; and

62 (6)(B)(ii) \$2.50 for each document accessed.

63 (7) No interference. Records, information, and services shall be provided at a time
64 and in a manner that does not interfere with the regular business of the courts. The
65 Administrative Office of the Courts may disconnect a user of public on-line services
66 whose use interferes with computer performance or access by other users. ~~The
67 Administrative Office of the Courts may establish reasonable time limits per access call
68 to promote access by a variety of users.~~

69 (8) Waiver of fees.

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

72 (8)(A)(i) any government entity ~~required by law to obtain court records of Utah or its~~
73 political subdivisions; ~~or~~

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

75 ~~(8)(B) Fees established by this rule may be waived for (8)(A)(iii)~~ a student engaged
76 in research for an academic purpose.

77 ~~(8)(C) Fees established by this rule may be waived for a governmental entity if the~~
78 ~~fee is minimal.~~

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

80 (8)(B)(i) any government entity of Utah or its political subdivisions;

81 (8)(B)(ii) public defenders for searches performed in connection with their duties as
82 public defenders;

83 (8)(B)(iii) the Utah State Bar; and

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

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