

1 Rule 3-413. Judicial library resources.

2 Intent:

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

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

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

9 Applicability:

10 This rule shall apply to the state law library, all judges and commissioners of courts of record
11 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 cover edition of the Utah Code for each justice, judge, and
17 commissioner of the courts of record for use in the courtroom or hearing room, the
18 administrative office library, the Supreme Court and Court of Appeals chambers libraries, senior
19 judges on active status, staff of the administrative office and other senior managers as
20 determined by the state court administrator, and central staff attorneys;

21 ~~(1)(A)(ii) an annual subscription to Utah Advance Reports and Annotations to justices,~~
22 ~~judges, and commissioners of the courts of record, senior judges on active status, staff of the~~
23 ~~administrative office and other senior managers as determined by the state court administrator,~~
24 ~~central staff attorneys, the administrative office library, the Supreme Court and Court of Appeals~~
25 ~~chambers libraries, and each primary court location without a resident judge;~~

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

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

31 central staff attorneys, appellate court law clerks at a ratio of one set for two clerks, the
32 administrative office library, and the Supreme Court and Court of Appeals chambers libraries;

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

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

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

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

46 (1)(A)(ix) at least one copy of the Utah Legislative Report for each courthouse occupied by a
47 trial court of record, the administrative office library, and the Supreme Court and Court of
48 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, indexes,
51 rules, and replacement volumes to all justices and judges of courts of record referred to in
52 paragraph (1)(A)(iv) of this rule. The state law librarian shall coordinate the distribution of these
53 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 Pacific
55 ~~2d~~-Reporter and the Utah Advance Reports is to provide complimentary volumes to appellate
56 judges as of the date of the judge's appointment to the appellate court. The state law librarian
57 shall coordinate the distribution of these materials with the judges and the publishers.

58 (1)(D) State law library. Except for copies furnished as indicated in paragraphs (1)(B) and
59 (C) of this rule and the purchasing authority described in paragraphs (1)(E), (F), and (G), the
60 state law librarian shall purchase the publications authorized by this rule and distribute them in
61 accordance with this rule.

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

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

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

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

81 (2) Law libraries.

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

84 (2)(B) The Appellate Courts' Chambers Library shall be administered jointly by the Clerk of
85 the Supreme Court and the Clerk of the Court of Appeals under the general supervision of the
86 Appellate Court Administrator.

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

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

93 (3) Procedures.

94 (3)(A) The state law librarian shall separately account for the operating budget for the state
95 law library, trial court operations, appellate court operations, and administrative operations.
96 Funds appropriated or allocated to the appellate court, trial court, or administrative operations
97 shall not be used to supplement the appropriation to the state law library.

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

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

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

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

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

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