

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) State Law Library.**

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

16 (1)(B) The state law librarian shall facilitate the purchase of the electronic research  
17 resources and print publications authorized by this rule and arrange to have them  
18 distributed in accordance with this rule.

19 **(2) Responsibility for providing judicial library resources.**

20 **(2)(A) Electronic research resources.**

21 (2)(A)(i) The state court administrator shall provide access to approved  
22 electronic research resources, including commercial legal databases.

23 (2)(A)(ii) All judges of courts of record, judges of courts not of record, court  
24 commissioners, and staff attorneys shall have access to these  
25 electronic research resources. Other employees may receive access  
26 to these resources based upon a demonstrated need and supervisor  
27 authorization.

28 (2)(B) Authorized Print publications. The following officials or locations are  
29 authorized to receive ~~the print~~ publications, which shall be provided by the state  
30 court administrator, unless specifically noted below, as indicated follows:

31 (2)(B)(i) Judges of courts of record:

- 32 (2)(B)(i)(a) one set of the Utah Code Annotated, one set of the  
33 Utah Code Unannotated, and one set of the Utah Court  
34 Rules Annotated; or
- 35 (2)(B)(i)(b) two sets of the Utah Code Unannotated and one set of  
36 the Utah Court Rules Annotated.
- 37 (2)(B)(ii) **Court commissioners:** two sets of the Utah Code Unannotated and  
38 one set of Utah Court Rules Annotated.
- 39 (2)(B)(iii) **Active senior judges:** one set of the Utah Code Unannotated, paid  
40 for by the Administrative Office of the Courts.
- 41 (2)(B)(iv) **Staff attorneys:** one set of the Utah Code Unannotated and one set  
42 of Utah Court Rules Annotated.
- 43 (1)(A)(i)(2)(B)(v) **Courts without a permanently-sitting judge:** two sets of  
44 the Utah Code Unannotated and one set of Utah Court Rules  
45 Annotated.
- 46 ~~(1)(A)(ii) a current set of the softbound Utah Code Unannotated for each~~  
47 ~~justice, judge, and commissioner of the courts of record for use in the~~  
48 ~~justice's, judge's, or commissioner's principal courtroom or hearing~~  
49 ~~room and additional sets as needed for actively used courtrooms and~~  
50 ~~hearing rooms, the administrative office library, the Supreme Court~~  
51 ~~and Court of Appeals chambers libraries, senior judges on active~~  
52 ~~status, staff of the administrative office and other senior managers as~~  
53 ~~determined by the state court administrator, and central staff~~  
54 ~~attorneys;~~
- 55 ~~(1)(A)(iii) one set of Utah Code Annotated 1953 with annual supplements,~~  
56 ~~indexes, rules, and replacement volumes to justices, judges, and~~  
57 ~~commissioners of the courts of record, staff of the administrative office~~  
58 ~~and other senior managers as determined by the state court~~  
59 ~~administrator, central staff attorneys, appellate court law clerks at a~~  
60 ~~ratio of one set for two clerks, the administrative office library, and the~~  
61 ~~Supreme Court and Court of Appeals chambers libraries;~~
- 62 ~~(1)(A)(iv) one copy of the Utah Court Rules Annotated for senior judges on~~  
63 ~~active status, staff of the administrative office and other senior~~  
64 ~~managers as determined by the state court administrator, the~~

65 ~~administrative office library, and the Supreme Court and Court of~~  
66 ~~Appeals chambers libraries; and~~  
67 ~~(1)(A)(v) one set of the Utah Reporter to justices, judges, and central staff~~  
68 ~~attorneys of the Supreme Court and Court of Appeals and a sufficient~~  
69 ~~number for the research needs of the trial courts of record.~~

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

76 ~~(1)(G)(2)(C)~~ **Publisher's complimentary copies.** The ~~current policy of the~~ publisher  
77 of the Pacific Reporter ~~is to provide currently provides~~ complimentary volumes to  
78 appellate judges as of the date of the judge's appointment to the appellate court.  
79 The state law librarian shall coordinate the distribution of these materials with the  
80 judges and the publisher.

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

86 ~~(1)(E)(2)(D)~~ **Counties.** Each county shall provide a current copy of either the Utah  
87 Code Annotated with annual updates or the softbound Utah Code Unannotated  
88 to each county justice court judge serving within that county. Each county  
89 operating a court of record under contract with the administrative office of the  
90 courts shall provide the judge with access to the local law library pursuant to  
91 Section 78A-5-111.

92 ~~(1)(F)~~ **Municipalities.** Each municipality shall provide a current copy of either the Utah  
93 Code Annotated with annual updates or the softbound Utah Code Unannotated  
94 to each municipal justice court judge serving within that municipality. Each  
95 municipality operating a court of record under contract with the administrative  
96 office of the courts shall provide the judge with access to the local law library  
97 pursuant to Section 78A-5-111.

~~(1)(G)(2)(E) \_\_\_\_\_ Counties and municipalities contracting with justice court judges. Each county and municipality which contracts with a justice court judge pursuant to Utah Code Ann. Section 78A-7-202 shall provide, at the location used by the judge within the county or municipality, either the Utah Code Annotated with annual updates or the softbound Utah Code Unannotated.~~

~~(1)(H) \_\_\_\_\_~~

~~(1)(I)(2)(F) \_\_\_\_\_ Administrative office of the courts. The administrative office of the courts shall provide a Justice Court Manual, updated biannually, to each judge of a court not of record. Law libraries.~~

~~(1)(J) \_\_\_\_\_ The State Law Library shall be supervised and administered by the state law librarian under the general supervision of the Appellate Court Administrator.~~

~~(1)(K) \_\_\_\_\_ The Appellate Courts' Chambers Library shall be maintained by the State Law Library, and the Appellate Courts shall pay for the materials in that collection.~~

~~(1)(L) \_\_\_\_\_ The Council may authorize the establishment of chambers law libraries for trial courts of record, provide update services consistent with funding limitations and adopt minimum standards for those libraries.~~

~~(1)(M) \_\_\_\_\_ For purposes of this rule, "chambers libraries" means those law libraries which are established and maintained for the exclusive use of judicial officers and employees and are not available for use by members of the public.~~

~~(2)(3) **Budget Procedures.**~~

~~(3)(A) \_\_\_\_\_ The state law librarian shall separately account for:~~

~~(3)(A)(i) \_\_\_\_\_ the operating budget for the state law library;~~

~~(3)(A)(ii) \_\_\_\_\_ the costs associated with access to electronic research resources in subsection (2)(A); and~~

~~(3)(A)(iii) \_\_\_\_\_ the costs associated with the purchase of print publications in subsection (2)(B), trial court operations, appellate court operations, and administrative operations.~~

~~(2)(A)(3)(B) \_\_\_\_\_ Funds appropriated or allocated for purchasing in accordance with subsections (2)(A) and (2)(B) to the appellate court, trial court, or administrative operations shall not be used to supplement the appropriation to the state law library.~~

~~(2)(B)(3)(C) \_\_\_\_\_ The purchase of electronic research resources and print publications to fully implement the provisions of this rule shall be limited by the availability of funds.~~

132 ~~(2)(G)(3)(D)~~ Any publication purchased with public funds shall be the property of the  
133 court and not the property of any official. Publications provided to an official  
134 without charge to the state shall be the personal property of the official.

135 ~~(2)(D) Upon request of a justice, judge, commissioner or court employee, the state law~~  
136 ~~librarian shall make available legal reference publications or photocopies or~~  
137 ~~facsimile copies thereof for the use of the requesting party. The state law~~  
138 ~~librarian shall develop procedures for the control of publications removed from~~  
139 ~~the library.~~

140 ~~(2)(E) The state court administrator shall notify the state law librarian whenever there is~~  
141 ~~a change to the list of senior judges on active status. The court executive shall~~  
142 ~~notify the state law librarian whenever there is a change in the personnel~~  
143 ~~authorized by this rule to receive publications.~~

144 ~~(3) Electronic data base legal research. The state court administrator shall, as funds permit,~~  
145 ~~develop access to legal reference materials stored on electronic data bases. As such~~  
146 ~~access is developed subscriptions to duplicative hard copy publications shall be~~  
147 ~~discontinued.~~

148 *Effective May 1, 2019*