

1 **Rule 4-302. Recommended Uniform Fine Schedule.**

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3 **Intent:**

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5 To provide a guideline for courts in setting fines in felony and misdemeanor cases in order to
6 promote uniformity and consistency in setting fines for similar offenses in all courts.

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8 To assist the sentencing judge in determining the appropriate fine to be imposed as a condition
9 of the sentence in a particular case, and to minimize disparity in sentencing for similar offenses
10 and offenders.

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12 **Applicability:**

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14 This rule shall apply to all trial courts of record and not of record.

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16 **Statement of the Rule:**

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18 | (1) The Uniform Fine ~~Schedule~~-Committee shall establish a uniform fine schedule setting forth
19 recommended fine amounts for all criminal and traffic offenses, pursuant to the Utah Code. The
20 fine schedule shall be reviewed and approved by the Council. For automated courts, the
21 committee shall oversee and monitor input to the computerized fine schedule to ensure that the
22 fine amounts are consistent with the uniform fine schedule approved by the Council.

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24 (2) The recommended fine for each offense shall be proportional to the seriousness of the
25 offense and the offender's criminal history, and shall be consistent with the Utah Sentencing
26 Guidelines developed by the Utah Commission on Criminal and Juvenile Justice.

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28 (3) The uniform recommended fine schedule shall consist of a felony schedule and a
29 misdemeanor schedule.

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31 (4) The uniform recommended fine schedule shall include criteria for aggravating and mitigating
32 circumstances, and shall not limit the authority of the court to impose a sentence deemed just in
33 the discretion of the judge.

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35 (5) Presentence investigation reports shall include a recommended disposition for each case
36 based upon the individual's circumstances. The reports shall include a recommended fine
37 based upon the schedule or a recommendation that no fine be imposed, and a recommendation
38 of incarceration, probation or other alternative. In Class B misdemeanor cases, the presentence
39 investigation report shall include such a recommended disposition for each case if specifically
40 requested by the referring judge.

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42 (6) The approved uniform fine schedule shall be published as an appendix to this Code and
43 distributed to appropriate state and local law enforcement agencies.

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45 (7) The committee shall meet at least once annually to review the uniform fine schedule and
46 recommend adjustments in the schedule as necessary.

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48 (8) Notice of the committee's meetings shall be provided to interested agencies, as designated
49 by the committee, to provide such agencies an opportunity to appear before the committee and
50 present proposals for changes to the uniform fine schedule.

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52 (9) When imposing fines, courts should conform to the uniform fine schedule except in cases
53 where aggravating or mitigating circumstances warrant a deviation from the schedule.

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55 | *Effective May 18, 2022*