

Logan J. Monson proposes the following substitute bill:

Judicial Transparency and Information Access Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Logan J. Monson

Senate Sponsor: Brady Brammer

LONG TITLE

General Description:

This bill addresses public access to court records and proceedings and judicial financial disclosures.

Highlighted Provisions:

This bill:

- defines terms;
- addresses access to an audio recording of a public court proceeding;
- requires the Judicial Council to create and maintain a single website for all public court records;
- provides the requirements for the website containing all public court records;
- addresses fees for court records;
- requires the Judicial Council to create a rule on judicial financial disclosures and to report to the Judiciary Interim Committee; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

63G-2-302 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 172

78A-2-301 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 291

78A-2-301.5 (Effective 01/01/27), as last amended by Laws of Utah 2022, Chapter 384

ENACTS:

78A-1-201 (Effective 01/01/27), Utah Code Annotated 1953

29 **78A-1-203 (Effective 01/01/27)**, Utah Code Annotated 1953
 30 **78A-1-204 (Effective 01/01/27)**, Utah Code Annotated 1953
 31 **78A-2-114 (Effective 05/06/26)**, Utah Code Annotated 1953
 32 **78A-2-301.7 (Effective 01/01/27)**, Utah Code Annotated 1953

33 RENUMBERS AND AMENDS:

34 **78A-1-202 (Effective 01/01/27)**, (Renumbered from 78A-2-208, as last amended by
 35 Laws of Utah 2023, Chapter 394)

37 *Be it enacted by the Legislature of the state of Utah:*

38 Section 1. Section **63G-2-302** is amended to read:

39 **63G-2-302 (Effective 01/01/27). Private records.**

40 (1) The following records are private:

- 41 (a) records concerning an individual's eligibility for unemployment insurance benefits,
 42 social services, welfare benefits, or the determination of benefit levels;
- 43 (b) records containing data on individuals describing medical history, diagnosis,
 44 condition, treatment, evaluation, or similar medical data;
- 45 (c) records of publicly funded libraries that when examined alone or with other records
 46 identify a patron;
- 47 (d) records received by or generated by or for:
- 48 (i) the Independent Legislative Ethics Commission, except for:
- 49 (A) the commission's summary data report that is required under legislative rule;
 50 and
- 51 (B) any other document that is classified as public under legislative rule; or
- 52 (ii) a Senate or House Ethics Committee in relation to the review of ethics
 53 complaints, unless the record is classified as public under legislative rule;
- 54 (e) records received by, or generated by or for, the Independent Executive Branch Ethics
 55 Commission, except as otherwise expressly provided in Title 63A, Chapter 14,
 56 Review of Executive Branch Ethics Complaints;
- 57 (f) records received or generated for a Senate confirmation committee concerning
 58 character, professional competence, or physical or mental health of an individual:
- 59 (i) if, ~~prior to~~ before the meeting, the chair of the committee determines release of
 60 the records:
- 61 (A) reasonably could be expected to interfere with the investigation undertaken by
 62 the committee; or

- 63 (B) would create a danger of depriving a person of a right to a fair proceeding or
64 impartial hearing; and
- 65 (ii) after the meeting, if the meeting was closed to the public;
- 66 (g) employment records concerning a current or former employee of, or applicant for
67 employment with, a governmental entity that would disclose that individual's home
68 address, home telephone number, social security number, insurance coverage, marital
69 status, or payroll deductions;
- 70 (h) records or parts of records under Section 63G-2-303 that a current or former
71 employee identifies as private according to the requirements of that section;
- 72 (i) that part of a record indicating a person's social security number or federal employer
73 identification number if provided under Section 31A-23a-104, 31A-25-202,
74 31A-26-202, 58-1-301, 58-55-302, 61-1-4, or 61-2f-203;
- 75 (j) that part of a voter registration record identifying a voter's:
- 76 (i) driver license or identification card number;
- 77 (ii) social security number, or last four digits of the social security number;
- 78 (iii) email address;
- 79 (iv) date of birth; or
- 80 (v) phone number;
- 81 (k) a voter registration record that is classified as a private record by the lieutenant
82 governor or a county clerk under Subsection 20A-2-101.1(5)(a), 20A-2-104(4)(h), or
83 20A-2-204(4)(b);
- 84 (l) a voter registration record that is withheld under Subsection 20A-2-104(7);
- 85 (m) a withholding request form described in Subsections 20A-2-104(7) and (8) and any
86 verification submitted in support of the form;
- 87 (n) a record or information regarding whether a voter returned a ballot with postage
88 attached;
- 89 (o) a record that:
- 90 (i) contains information about an individual;
- 91 (ii) is voluntarily provided by the individual; and
- 92 (iii) goes into an electronic database that:
- 93 (A) is designated by and administered under the authority of the [~~Chief~~
94 ~~Information Officer~~] chief information officer; and
- 95 (B) acts as a repository of information about the individual that can be
96 electronically retrieved and used to facilitate the individual's online interaction

- 97 with a state agency;
- 98 (p) information provided to the [~~Commissioner of Insurance~~] commissioner of insurance
- 99 under:
- 100 (i) Subsection 31A-23a-115(3)(a);
- 101 (ii) Subsection 31A-23a-302(4); or
- 102 (iii) Subsection 31A-26-210(4);
- 103 (q) information obtained through a criminal background check under Title 11, Chapter
- 104 40, Criminal Background Checks by Political Subdivisions Operating Water Systems;
- 105 (r) information provided by an offender that is:
- 106 (i) required by the registration requirements of Title 53, Chapter 29, Sex, Kidnap, and
- 107 Child Abuse Offender Registry; and
- 108 (ii) not required to be made available to the public under Subsection 53-29-404(3)(a);
- 109 (s) a statement and any supporting documentation filed with the attorney general in
- 110 accordance with Section 34-45-107, if the federal law or action supporting the filing
- 111 involves homeland security;
- 112 (t) electronic toll collection customer account information received or collected under
- 113 Section 72-6-118 and customer information described in Section 17B-2a-815
- 114 received or collected by a public transit district, including contact and payment
- 115 information and customer travel data;
- 116 (u) an email address provided by a military or overseas voter under Section 20A-16-501;
- 117 (v) a completed military-overseas ballot that is electronically transmitted under Title
- 118 20A, Chapter 16, Uniform Military and Overseas Voters Act;
- 119 (w) records received by or generated by or for the Political Subdivisions Ethics Review
- 120 Commission established in Section 63A-15-201, except for:
- 121 (i) the commission's summary data report that is required in Section 63A-15-202; and
- 122 (ii) any other document that is classified as public in accordance with Title 63A,
- 123 Chapter 15, Political Subdivisions Ethics Review Commission;
- 124 (x) a record described in Section 53G-9-604 that verifies that a parent was notified of an
- 125 incident or threat;
- 126 (y) a criminal background check or credit history report conducted in accordance with
- 127 Section 63A-3-201;
- 128 (z) a record described in Subsection 53-5a-104(7);
- 129 (aa) on a record maintained by a county for the purpose of administering property taxes,
- 130 an individual's:

- 131 (i) email address;
- 132 (ii) phone number; or
- 133 (iii) personal financial information related to a person's payment method;
- 134 (bb) a record submitted by a taxpayer to establish the taxpayer's eligibility for an
- 135 exemption, deferral, abatement, or relief under:
- 136 (i) Title 59, Chapter 2, Part 11, Exemptions; or
- 137 (ii) Title 59, Chapter 2a, Tax Relief Through Property Tax;
- 138 (cc) a record provided by the State Tax Commission in response to a request under
- 139 Subsection 59-1-403(4)(y)(iii);
- 140 (dd) a record of the Child Welfare Legislative Oversight Panel regarding an individual
- 141 child welfare case, as described in Subsection 36-33-103(3);
- 142 (ee) a record relating to drug or alcohol testing of a state employee under Section
- 143 63A-17-1004;
- 144 (ff) a record relating to a request by a state elected official or state employee who has
- 145 been threatened to the Division of Technology Services to remove personal
- 146 identifying information from the open web under Section 63A-16-109;
- 147 (gg) a record including confidential information as that term is defined in Section
- 148 67-27-106; and
- 149 (hh) a record or notice received or generated under Title 53, Chapter 30, Security
- 150 Improvements Act, relating to:
- 151 (i) an application for certification described in Section 53-30-201; or
- 152 (ii) a security improvement, including a building permit application or building
- 153 permit for a security improvement described in Section 53-30-301.
- 154 (2) The following records are private if properly classified by a governmental entity:
- 155 (a) records concerning a current or former employee of, or applicant for employment
- 156 with a governmental entity, including performance evaluations and personal status
- 157 information such as race, religion, or disabilities, but not including records that are
- 158 public under Subsection 63G-2-301(2)(b) or 63G-2-301(3)(o) or private under
- 159 Subsection (1)(b);
- 160 (b) records describing an individual's finances, except that the following are public:
- 161 (i) records described in Subsection 63G-2-301(2);
- 162 (ii) information provided to the governmental entity for the purpose of complying
- 163 with a financial assurance requirement; or
- 164 (iii) records that must be disclosed in accordance with another statute or a rule

- 165 described in Section 78A-9a-103;
- 166 (c) records of independent state agencies if the disclosure of those records would
167 conflict with the fiduciary obligations of the agency;
- 168 (d) other records containing data on individuals the disclosure of which constitutes a
169 clearly unwarranted invasion of personal privacy;
- 170 (e) records provided by the United States or by a government entity outside the state that
171 are given with the requirement that the records be managed as private records, if the
172 providing entity states in writing that the record would not be subject to public
173 disclosure if retained by it;
- 174 (f) any portion of a record in the custody of the Division of Aging and Adult Services,
175 created in Section 26B-6-102, that may disclose, or lead to the discovery of, the
176 identity of a person who made a report of alleged abuse, neglect, or exploitation of a
177 vulnerable adult; and
- 178 (g) audio and video recordings created by a body-worn camera, as defined in Section
179 77-7a-103, that record sound or images inside a home or residence except for
180 recordings that:
- 181 (i) depict the commission of an alleged crime;
- 182 (ii) record any encounter between a law enforcement officer and a person that results
183 in death or bodily injury, or includes an instance when an officer fires a weapon;
- 184 (iii) record any encounter that is the subject of a complaint or a legal proceeding
185 against a law enforcement officer or law enforcement agency;
- 186 (iv) contain an officer-involved critical incident as defined in Subsection
187 76-2-408(1)(f); or
- 188 (v) have been requested for reclassification as a public record by a subject or
189 authorized agent of a subject featured in the recording.
- 190 (3)(a) As used in this Subsection (3), "medical records" means medical reports, records,
191 statements, history, diagnosis, condition, treatment, and evaluation.
- 192 (b) Medical records in the possession of the University of Utah Hospital, its clinics,
193 doctors, or affiliated entities are not private records or controlled records under
194 Section 63G-2-304 when the records are sought:
- 195 (i) in connection with any legal or administrative proceeding in which the patient's
196 physical, mental, or emotional condition is an element of any claim or defense; or
197 (ii) after a patient's death, in any legal or administrative proceeding in which any
198 party relies upon the condition as an element of the claim or defense.

199 (c) Medical records are subject to production in a legal or administrative proceeding
 200 according to state or federal statutes or rules of procedure and evidence as if the
 201 medical records were in the possession of a nongovernmental medical care provider.

202 Section 2. Section **78A-1-201** is enacted to read:

203 **Part 2. Public Access to Courts**

204 **78A-1-201 (Effective 01/01/27). Definitions for part.**

205 As used in this part:

206 (1) "Court" means the justice court, the district court, the juvenile court, the Business and
 207 Chancery Court, the Court of Appeals, or the Supreme Court.

208 (2) "Court proceeding" means a proceeding, trial, or other appearance before a court of this
 209 state.

210 (3) "Court record" means all or any portion of papers, documents, exhibits, orders,
 211 opinions, recordings, dockets, and other information that are made, entered, filed, or
 212 maintained by a court in connection with a case or court proceeding.

213 (4) "Court record website" means the website for court records described in Subsection
 214 78A-1-204(1).

215 (5) "Public court proceeding" means a court proceeding that is open to the public.

216 (6) "Public court record" means any court record that is not prohibited by law from public
 217 disclosure.

218 Section 3. Section **78A-1-202**, which is renumbered from Section 78A-2-208 is renumbered
 219 and amended to read:

220 **~~[78A-2-208]~~ 78A-1-202 (Effective 01/01/27). Court proceedings to be public --**
 221 **Notice to public of recording -- Right to exclude in certain cases.**

222 [~~(1) The sittings of every court of this state are public, except as provided in Subsections (3)~~
 223 ~~and (4).]~~

224 (1) Except as otherwise provided in this section, a court proceeding is public.

225 (2) The Judicial Council shall require that notice be given to the public that [the
 226 ~~proceedings are]~~ a court proceeding is being recorded when an electronic or digital
 227 recording system is being used during [~~court proceedings]~~ the court proceeding.

228 (3) The court may, in the court's discretion, during the examination of a witness exclude
 229 any and all other witnesses in [~~the proceedings]~~ the court proceeding.

230 (4) In an action of divorce, criminal conversation, seduction, abortion, rape, or assault with
 231 intent to commit rape, the court may, in the court's discretion, exclude all persons who
 232 do not have a direct interest in the [~~proceedings]~~ court proceeding, except jurors,

233 witnesses, and officers of the court.

234 Section 4. Section **78A-1-203** is enacted to read:

235 **78A-1-203 (Effective 01/01/27). Audio recording of a public court proceeding --**
 236 **Reporting requirement.**

237 (1)(a) An audio recording shall be made of each public court proceeding.

238 (b) An audio recording described in Subsection (1)(a) shall include all open portions of
 239 the public court proceeding from the commencement of the public court proceeding
 240 through the adjournment of the public court proceeding.

241 (2)(a) An individual may request an audio recording of a public court proceeding.

242 (b) Upon a request for an audio recording of a public court proceeding, the
 243 Administrative Office of the Court shall provide the audio recording to the individual.

244 (c) To the extent possible, the Administrative Office of the Courts shall expedite a
 245 request for an audio recording if the individual is a party to the public court
 246 proceeding.

247 (d) An individual may only be charged a fee for an audio recording as described in
 248 Section 78A-2-301.7.

249 (3) This section does not apply to a public court proceeding in the justice court.

250 (4) Before November 30, 2026, the Judicial Council shall report, in writing,
 251 recommendations to the Judiciary Interim Committee on:

252 (a) whether audio recordings of public court proceedings should be freely available to
 253 the public; and

254 (b) how audio recordings of public court proceedings can be made freely available to the
 255 public.

256 Section 5. Section **78A-1-204** is enacted to read:

257 **78A-1-204 (Effective 01/01/27). Requirements for court record website.**

258 (1) ~~§~~ → ~~[(a)]~~ ← ~~§~~ The Judicial Council shall establish and maintain a single website that
 258a allows the
 259 public to search and access all public court records in accordance with the
 260 requirements of this section.

261 ~~§~~ → ~~[(b) The Judicial Council shall contract, in accordance with Title 63G, Chapter 6a,~~
 261a ~~Utah.]~~ ← ~~§~~

262 ~~§~~ → ~~[Procurement Code, with a third party to establish and maintain the court record~~
 263 ~~] ← §~~

263 ~~§~~ → ~~[website under Subsection (1)(a).]~~ ← ~~§~~

- 264 (2) To comply with Section 78A-2-233, the court record website shall provide remote
265 access to all public court records through a network or system that:
266 (a) is secure; and
267 (b) provides restricted access through security standards developed by the Judicial
268 Council, including a registration requirement under which a prospective user must
269 provide the prospective user's:
270 (i) identity;
271 (ii) business or residence address; and
272 (iii) citizenship status.
- 273 (3)(a) The court record website shall allow an individual to conduct a search by using:
274 (i) the name of a court;
275 (ii) the name of a party, judge, or attorney;
276 (iii) the name of a judicial district;
277 (iv) a case number;
278 (v) a case type;
279 (vi) a filing date;
280 (vii) the case status; and
281 (viii) for a criminal case:
282 (A) the section of the Utah Code under which an offense is charged; and
283 (B) the disposition of a charged offense.
- 284 (4) Except as provided in Section 78A-2-301.7, the Judicial Council may not require a
285 person to pay a fee to:
286 (a) access the court record website;
287 (b) create an account or register to obtain access to the court record website;
288 (c) conduct a search in the court record website; or
289 (d) download a document from the court record website.
- 290 (5) The Judicial Council shall post a link to the court record website in a prominent place
291 on the website for the Utah state courts.
- 292 Section 6. Section **78A-2-114** is enacted to read:
293 **78A-2-114 (Effective 05/06/26). Judicial financial disclosure -- Reporting**
294 **requirement.**
- 295 (1) As used in this section, "judicial officer" means a judge or a court commissioner of the
296 justice court, the district court, the juvenile court, the Business and Chancery Court, the
297 Court of Appeals, or the Supreme Court.

- 298 (2) The Judicial Council shall:
299 (a) by rule, require a judicial officer to submit an annual financial disclosure that is
300 comparable to the conflict of interest disclosure described in Section 20A-11-1604;
301 and
302 (b) post a judicial officer's annual financial disclosure described in Subsection (2)(a) on
303 a website that allows the public to access the disclosure.
304 (3) Before November 1, 2026, the Judicial Council shall submit a written report describing
305 the actions the Judicial Council has taken under Subsection (2) to the Judiciary Interim
306 Committee.

307 Section 7. Section **78A-2-301** is amended to read:

308 **78A-2-301 (Effective 01/01/27). Civil fees of the courts of record -- Courts**
309 **complex design.**

- 310 (1)
311 (a) The fee for filing any civil complaint or petition invoking the jurisdiction of a court
312 of record not governed by another subsection is \$375.
313 (b) The fee for filing a complaint or petition is:
314 (i) \$90 if the claim for damages or amount in interpleader exclusive of court costs,
315 interest, and attorney fees is \$2,000 or less;
316 (ii) \$200 if the claim for damages or amount in interpleader exclusive of court costs,
317 interest, and attorney fees is greater than \$2,000 and less than \$10,000;
318 (iii) \$375 if the claim for damages or amount in interpleader is \$10,000 or more;
319 (iv) except as provided in Subsection (1)(b)(v), \$325 if the petition is filed for an
320 action described in Title 81, Chapter 4, Dissolution of Marriage;
321 (v) \$35 for a petition for temporary separation described in Section 81-4-104;
322 (vi) \$125 if the petition is for removal from the Sex, Kidnap, and Child Abuse
323 Offender Registry under Section 53-29-204, 53-29-205, or 53-29-206; and
324 (vii) \$35 if the petition is for guardianship and the prospective ward is the biological
325 or adoptive child of the petitioner.
326 (c) The fee for filing a small claims affidavit is:
327 (i) \$60 if the claim for damages or amount in interpleader exclusive of court costs,
328 interest, and attorney fees is \$2,000 or less;
329 (ii) \$100 if the claim for damages or amount in interpleader exclusive of court costs,
330 interest, and attorney fees is greater than \$2,000, but less than \$7,500; and
331 (iii) \$185 if the claim for damages or amount in interpleader exclusive of court costs,

- 332 interest, and attorney fees is \$7,500 or more.
- 333 (d) The fee for filing a counter claim, cross claim, complaint in intervention, third party
334 complaint, or other claim for relief against an existing or joined party other than the
335 original complaint or petition is:
- 336 (i) \$55 if the claim for relief exclusive of court costs, interest, and attorney fees is
337 \$2,000 or less;
- 338 (ii) \$165 if the claim for relief exclusive of court costs, interest, and attorney fees is
339 greater than \$2,000 and less than \$10,000;
- 340 (iii) \$170 if the original petition is filed under Subsection (1)(a), the claim for relief is
341 \$10,000 or more, or the party seeks relief other than monetary damages; and
- 342 (iv) \$130 if the original petition is filed for an action described in Title 81, Chapter 4,
343 Dissolution of Marriage.
- 344 (e) The fee for filing a small claims counter affidavit is:
- 345 (i) \$50 if the claim for relief exclusive of court costs, interest, and attorney fees is
346 \$2,000 or less;
- 347 (ii) \$70 if the claim for relief exclusive of court costs, interest, and attorney fees is
348 greater than \$2,000, but less than \$7,500; and
- 349 (iii) \$120 if the claim for relief exclusive of court costs, interest, and attorney fees is
350 \$7,500 or more.
- 351 (f) The fee for depositing funds under Section 57-1-29 when not associated with an
352 action already before the court is determined under Subsection (1)(b) based on the
353 amount deposited.
- 354 (g) The fee for filing a petition is:
- 355 (i) \$240 for trial de novo of an adjudication of the justice court or of the small claims
356 department; and
- 357 (ii) \$80 for an appeal of a municipal administrative determination in accordance with
358 Section 10-3-703.7.
- 359 (h) The fee for filing a notice of appeal, petition for appeal of an interlocutory order, or
360 petition for writ of certiorari is \$240.
- 361 (i) The fee for filing a petition for expungement is \$150.
- 362 (j)(i) Fifteen dollars of the fees established by Subsections (1)(a) through (i) shall be
363 allocated to and between the Judges' Contributory Retirement Trust Fund and the
364 Judges' Noncontributory Retirement Trust Fund, as provided in Title 49, Chapter
365 17, Judges' Contributory Retirement Act, and Title 49, Chapter 18, Judges'

- 366 Noncontributory Retirement Act.
- 367 (ii) Four dollars of the fees established by Subsections (1)(a) through (i) shall be
368 allocated by the state treasurer to be deposited into the restricted account,
369 Children's Legal Defense Account, as provided in Section 51-9-408.
- 370 (iii) Five dollars of the fees established under Subsections (1)(a) through (e), (1)(g),
371 and (1)(s) shall be allocated to and deposited with the Dispute Resolution Account
372 as provided in Section 78B-6-209.
- 373 (iv) Thirty dollars of the fees established by Subsections (1)(a), (1)(b)(iii) and (iv),
374 (1)(d)(iii) and (iv), (1)(g)(ii), (1)(h), and (1)(i) shall be allocated by the state
375 treasurer to be deposited into the restricted account, Court Security Account, as
376 provided in Section 78A-2-602.
- 377 (v) Twenty dollars of the fees established by Subsections (1)(b)(i) and (ii), (1)(d)(ii)
378 and (1)(g)(i) shall be allocated by the state treasurer to be deposited into the
379 restricted account, Court Security Account, as provided in Section 78A-2-602.
- 380 (k) The fee for filing a judgment, order, or decree of a court of another state or of the
381 United States is \$35.
- 382 (l) The fee for filing a renewal of judgment in accordance with [~~Section 78B-6-1801~~]
383 Title 78B, Chapter 6, Part 18, Renewal of Judgment Act, is 50% of the fee for filing
384 an original action seeking the same relief.
- 385 (m) The fee for filing probate or child custody documents from another state is \$35.
- 386 (n)(i) The fee for filing an abstract or transcript of judgment, order, or decree of the
387 State Tax Commission is \$30.
- 388 (ii) The fee for filing an abstract or transcript of judgment of a court of law of this
389 state or a judgment, order, or decree of an administrative agency, commission,
390 board, council, or hearing officer of this state or of [its] the state's political
391 subdivisions other than the State Tax Commission, is \$50.
- 392 (o) The fee for filing a judgment by confession without action under Section 78B-5-205
393 is \$35.
- 394 (p) The fee for filing an award of arbitration for confirmation, modification, or vacation
395 under Title 78B, Chapter 11, Utah Uniform Arbitration Act, that is not part of an
396 action before the court is \$35.
- 397 (q) The fee for filing a petition or counter-petition to modify a domestic relations order
398 other than a protective order or stalking injunction is \$100.
- 399 (r) The fee for filing any accounting required by law is:

- 400 (i) \$15 for an estate valued at \$50,000 or less;
- 401 (ii) \$30 for an estate valued at \$75,000 or less but more than \$50,000;
- 402 (iii) \$50 for an estate valued at \$112,000 or less but more than \$75,000;
- 403 (iv) \$90 for an estate valued at \$168,000 or less but more than \$112,000; and
- 404 (v) \$175 for an estate valued at more than \$168,000.
- 405 (s) The fee for filing a demand for a civil jury is \$250.
- 406 (t) The fee for filing a notice of deposition in this state concerning an action pending in
- 407 another state under Utah Rules of Civil Procedure, Rule 30 is \$35.
- 408 (u) The fee for filing documents that require judicial approval but are not part of an
- 409 action before the court is \$35.
- 410 (v) The fee for a petition to open a sealed record is \$35.
- 411 (w) The fee for a writ of replevin, attachment, execution, or garnishment is \$50 in
- 412 addition to any fee for a complaint or petition.
- 413 (x)(i) The fee for a petition for authorization for a minor to marry required by Section
- 414 81-2-304 is \$5.
- 415 (ii) The fee for a petition for emancipation of a minor provided in Title 80, Chapter 7,
- 416 Emancipation, is \$50.
- 417 (y) The fee for a certificate issued under Section 26B-8-128 is \$8.
- 418 (z) The fee for a certified copy of a document is \$4 per document plus 50 cents per page.
- 419 (aa) The fee for an exemplified copy of a document is \$6 per document plus 50 cents per
- 420 page.
- 421 ~~[(bb) The Judicial Council shall, by rule, establish a schedule of fees for copies of~~
- 422 ~~documents and forms and for the search and retrieval of records under Title 63G,~~
- 423 ~~Chapter 2, Government Records Access and Management Act. Fees under~~
- 424 ~~Subsection (1)(bb) and (cc) shall be credited to the court as a reimbursement of~~
- 425 ~~expenditures.]~~
- 426 ~~[(cc) The Judicial Council may, by rule, establish a reasonable fee to allow members of~~
- 427 ~~the public to conduct a limited amount of searches on the Xchange database without~~
- 428 ~~having to pay a monthly subscription fee.]~~
- 429 ~~[(dd)] (2) There is no fee for services or the filing of documents not listed in this section or~~
- 430 ~~otherwise provided by law.~~
- 431 ~~[(ee)] (3) Except as provided in this section, all fees collected under this section are paid [to]~~
- 432 ~~into the General Fund[. Except as provided in this section, all fees shall be paid] at the~~
- 433 ~~time the clerk accepts the pleading for filing or performs the requested service.~~

- 434 ~~[(ff)]~~ (4) The filing fees under this section may not be charged to the state, the state's
 435 agencies, or political subdivisions filing or defending any action.
- 436 (5)(a) ~~[In]~~ Except as provided in Subsection (5)(b), in judgments awarded in favor of the
 437 state~~[, its]~~ or the state's agencies~~[,]~~ or political subdivisions, ~~[except the Office of~~
 438 Recovery Services,~~]~~ the court shall order the filing fees and collection costs to be
 439 paid by the judgment debtor.
- 440 (b) Subsection (5)(a) does not apply to a judgment awarded in favor of the Office of
 441 Recovery Services.
- 442 (c) The sums collected under ~~[this Subsection (1)(ff)]~~ Subsection (5)(a) shall be applied
 443 to the fees after credit to the judgment, order, fine, tax, lien, or other penalty and
 444 costs permitted by law.
- 445 ~~[(2)(a)(i) From March 17, 1994, until June 30, 1998, the state court administrator~~
 446 ~~shall transfer all revenues representing the difference between the fees in effect~~
 447 ~~after May 2, 1994, and the fees in effect before February 1, 1994, as dedicated~~
 448 ~~credits to the Division of Facilities Construction and Management Capital Projects~~
 449 ~~Fund.]~~
- 450 ~~[(ii)(A) Except as provided in Subsection (2)(a)(ii)(B), the Division of Facilities~~
 451 ~~Construction and Management shall use up to \$3,750,000 of the revenue~~
 452 ~~deposited into the Capital Projects Fund under this Subsection (2)(a) to design~~
 453 ~~and take other actions necessary to initiate the development of a courts~~
 454 ~~complex in Salt Lake City.]~~
- 455 ~~[(B) If the Legislature approves funding for construction of a courts complex in~~
 456 ~~Salt Lake City in the 1995 Annual General Session, the Division of Facilities~~
 457 ~~Construction and Management shall use the revenue deposited into the Capital~~
 458 ~~Projects Fund under this Subsection (2)(a)(ii) to construct a courts complex in~~
 459 ~~Salt Lake City.]~~
- 460 ~~[(C) After the courts complex is completed and all bills connected with its~~
 461 ~~construction have been paid, the Division of Facilities Construction and~~
 462 ~~Management shall use any money remaining in the Capital Projects Fund under~~
 463 ~~this Subsection (2)(a)(ii) to fund the Vernal District Court building.]~~
- 464 ~~[(iii) The Division of Facilities Construction and Management may enter into~~
 465 ~~agreements and make expenditures related to this project before the receipt of~~
 466 ~~revenues provided for under this Subsection (2)(a)(iii).]~~
- 467 ~~[(iv) The Division of Facilities Construction and Management shall:]~~

502 ~~(3)(b)(i)] (7)(b)(i);~~ and

503 (ii) to cover operations and maintenance costs on the court complex.

504 Section 8. Section **78A-2-301.5** is amended to read:

505 **78A-2-301.5 (Effective 01/01/27). Civil fees for justice courts.**

506 (1) The fee for filing a small claims affidavit is:

507 (a) \$60 if the claim for damages or amount in interpleader exclusive of justice court
508 costs, interest, and attorney fees is \$2,000 or less;

509 (b) \$100 if the claim for damages or amount in interpleader exclusive of justice court
510 costs, interest, and attorney fees is greater than \$2,000, but less than \$7,500; and

511 (c) \$185 if the claim for damages or amount in interpleader exclusive of justice court
512 costs, interest, and attorney fees is \$7,500 or more.

513 (2) The fee for filing a small claims counter affidavit is:

514 (a) \$50 if the claim for relief exclusive of justice court costs, interest, and attorney fees
515 is \$2,000 or less;

516 (b) \$70 if the claim for relief exclusive of justice court costs, interest, and attorney fees
517 is greater than \$2,000, but less than \$7,500; and

518 (c) \$120 if the claim for relief exclusive of justice court costs, interest, and attorney fees
519 is \$7,500 or more.

520 (3) The fee for filing a petition for expungement is \$135.

521 (4) The fee for a petition to open a sealed record is \$35.

522 (5) The fee for a writ of replevin, attachment, execution, or garnishment is \$50 in addition
523 to any fee for a complaint or petition.

524 ~~(6)(a)~~ The fee for filing a notice of appeal to a court of record is \$10.~~[-]~~

525 (b) ~~[-This]~~ The fee described in Subsection (6)(a) covers all services of the justice court
526 on appeal but does not satisfy the trial de novo filing fee in the court of record.

527 (7) The fee for a certified copy of a document is \$4 per document plus 50 cents per page.

528 (8) The fee for an exemplified copy of a document is \$6 per document plus 50 cents per
529 page.

530 (9) The fee schedule adopted by the Judicial Council for copies of documents and forms
531 and for the search and retrieval of records under Title 63G, Chapter 2, Government
532 Records Access and Management Act, shall apply.

533 (10) There is no fee for services or the filing of documents not listed in this section or
534 otherwise provided by law.

535 ~~(11)(a)~~ The filing fees under this section may not be charged to the state~~[-its]~~ or the

- 536 state's agencies[;] or political subdivisions filing or defending any action.[-]
- 537 (b) ~~[H]~~ Except as provided in Subsection (11)(c), in judgments awarded in favor of the
- 538 state[, its] or the state's agencies[;] or political subdivisions, ~~[except the Office of~~
- 539 Recovery Services,]the court shall order the filing fees and collection costs to be
- 540 paid by the judgment debtor.[-]
- 541 (c) Subsection (11)(b) does not apply to a judgment awarded in favor of the Office of
- 542 Recovery Services.
- 543 (d) The sums collected under this Subsection (11) shall be applied to the fees after credit
- 544 to the judgment, order, fine, tax, lien, or other penalty and costs permitted by law.
- 545 (12) The justice court may not impose any of the fees described in Subsection 78A-1-204(4)
- 546 for a public court record from the justice court that is in the court records database
- 547 described in Section 78A-1-204.
- 548 Section 9. Section **78A-2-301.7** is enacted to read:
- 549 **78A-2-301.7 (Effective 01/01/27). Fees for court records.**
- 550 (1) As used in this section, "court record website" means the website for court records
- 551 described in Section 78A-1-204.
- 552 (2) The Judicial Council shall, by rule and in accordance with Section 63G-2-702 and
- 553 Subsection 63G-2-203(3)(d), establish a schedule of fees for copies of documents and
- 554 forms and for the search and retrieval of records under Title 63G, Chapter 2,
- 555 Government Records Access and Management Act.
- 556 (3)(a) Except as provided in Subsection (3)(b), the Judicial Council may not establish
- 557 fees for the search and retrieval of records in the court records website.
- 558 (b) The Judicial Council may, by rule, require a person to pay a fee for:
- 559 (i) each search in the court record website that is beyond 50 for a calendar month; and
- 560 (ii) each download of a document in the court record website that is beyond 50 for a
- 561 calendar month.
- 562 (4) The Judicial Council may establish fees to search and retrieve an audio recording of a
- 563 public court proceeding under Section 78A-1-202, except that the Judicial Council may
- 564 not establish a fee or a charge a fee:
- 565 (a) as provided in Subsection (5); or
- 566 (b) to a party requesting an audio recording of a public court proceeding.
- 567 (5) The fees under this section may not be charged to the state, the state's agencies, or
- 568 political subdivisions.
- 569 (6) A fee under this section shall be credited to the court as a reimbursement of

570 expenditures.

571 (7) The fees described in Section 78A-2-408 apply to a transcript or copy of a transcript.

572 Section 10. **Effective Date.**

573 (1) Except as provided in Subsection (2), this bill takes effect January 1, 2027.

574 (2) The actions affecting Section 78A-2-114 (Effective 05/06/26) take effect on May 6,
575 2026.