

COURT COSTS AND FEES CHART

Except as noted, this chart is effective August 1, 2007, and applies to all costs assessed or collected on or after that date.

CRIMINAL COURT COSTS AND FEES (Reflects Changes Enacted During the 2007 Legislative Session)

Changes are noted in the chart below in **red** type. The effective dates are as follows:

- The **court costs increases** apply to costs assessed or collected on or after **August 1, 2007**, unless the defendant was charged before that date and disposes of the offense by waiver. (A defendant who was charged prior to **August 1, 2007** and who disposes of the offense by waiver pays the court costs amount in effect at the time of charge.)
- The **civil revocation fee increase** applies to fees assessed or collected on or after **August 1, 2007**. (So, even if the CVR order was entered prior to **August 1, 2007**, if the defendant pays on or after that date, the new fee amount is due.)
- The **new continuous alcohol monitoring fee** applies to offenses committed on or after December 1, 2007 in which continuous alcohol monitoring is ordered as authorized by law.
- The **criminal record check fee increase** applies to fees assessed or collected on or after **August 1, 2007**.
- The **failure to appear fee increase** applies to fees assessed or collected on or after **August 1, 2007**.
- The **new limited driving privilege fee** takes effect on December 1, 2007, which is when persons may begin filing petitions under the new G.S. 20-20.1. (**Note:** The budget bill contains fee language that would apply to all limited driving privileges, not just those filed under the new G.S. 20-20.1. However, it is our understanding that this language may be amended prior to the end of the legislative session, so we have not referenced it in the chart below. We will send follow-up information on this when it has been finalized by the legislature.)
- The **IDA fee** has increased to \$3.00 in criminal and civil, but only increased to \$2.05 in Estates and Special Proceedings.

CRIMINAL COURT COSTS	AMOUNT
DISTRICT COURT (including criminal cases before magistrates) [G.S. 7A-304]	
• General Court of Justice Fee (includes the \$3.00 IDA fee)	<u>95.50</u>
• Facilities Fee	12.00
• LEOB Amounts	7.50
• TOTAL	<u>115.00</u>
Plus \$5.00 service fee for each arrest or service of criminal process, including citations and subpoenas.	<u>120.00</u>
Note: For a person convicted of a felony in Superior Court who has made a first appearance in District Court, all Superior Court costs plus the District Court General Court of Justice fee shall be assessed. See G.S. 7A-304(a)(4).	
SUPERIOR COURT [G.S. 7A-304]	
• General Court of Justice Fee (includes the \$3.00 IDA fee)	<u>102.50</u>
• Facilities Fee	30.00
• LEOB Amounts	7.50
• TOTAL	<u>140.00</u>
Plus \$5.00 service fee for each arrest or service of criminal process, including citations and subpoenas.	<u>145.00</u>
OTHER CRIMINAL FEES	AMOUNT
Appointment of Counsel Fee for Indigent Defendants [G.S. 7A-455.1] (Note: This fee is due only if the defendant has been convicted. See G.S. 7A-455.1(a). Of this fee, \$45.00 is credited to the Indigent Defense Fund and \$5.00 is credited to the Court Information Technology Fund. See G.S. 7A-455.1(f).)	50.00
Civil Revocation Fee [G.S. 20-16.5] (Note: Of this fee, \$50.00 is remitted to the State's General Fund, \$25.00 is remitted to the State for transfer to DHHS, and \$25.00 is remitted to the county for jail expenses.)	<u>100.00</u>
Community Service Fee [G.S. 15A-1371, G.S. 20-179.4, and G.S. 143B-262.4]	200.00
Continuous Alcohol Monitoring Fee [G.S. 15A-1374 and G.S. 20-179] (Note: This fee is remitted to the system vendor.)	<u>up to 1,000.00</u>
Criminal Record Check Fee [G.S. 7A-308]	<u>15.00</u>
Dispute Resolution Fee [G.S. 7A-38.7] (Note: This fee applies to cases resolved through community mediation.)	60.00 per mediation
Expunction Fee [G.S. 15A-145] (Note: This fee does <u>not</u> apply to persons who file an expunction petition as an indigent. It also does <u>not</u> apply to petitions for expunction under G.S. 15A-146, G.S. 15A-147, or G.S. 90-113.14.)	125.00

Expunction Fee [G.S. 90-96] (<u>Note</u> : This fee does <u>not</u> apply to persons who file an expunction petition as an indigent. It also does <u>not</u> apply to petitions for expunction under G.S. 15A-146, G.S. 15A-147, or G.S. 90-113.14.)	65.00
Failure to Appear Fee [G.S. 7A-304] (<u>Note</u> : This fee now applies to a failure to appear after 20 days in <u>any criminal case</u> , not just motor vehicle cases. <u>Also, the failure to comply fee has been eliminated</u> . The fee is remitted to the State Treasurer for the support of the General Court of Justice.)	<u>100.00</u>
House Arrest with Electronic Monitoring Fee [G.S. 15A-1343]	90.00
Limited Driving Privilege Fee for Petitions Filed under G.S. 20-20.1 [G.S. 20-20.1] (<u>Note</u> : The \$100.00 processing fee is remitted to the State Treasurer for the support of the General Court of Justice.)	<u>CVD costs plus an additional processing fee of \$100.00</u>
Satellite-Based Monitoring Fee for Sex Offenders [G.S. 14-208.45]	90.00
SBI Lab Fee [G.S. 7A-304]	300.00
Local Government Lab Fee [G.S. 7A-304]	300.00
Reduced Costs Amount for Adult Front Seat Belt Violations and Motorcycle/Moped Helmet Violations [G.S. 20-135.2A and G.S. 20-140.4] (<u>Note</u> : Costs are <u>not</u> assessed for a <u>rear</u> seat belt violation involving an adult. See G.S. 20-135.2A(e).)	75.00 GCJ fee
Supervision Fee [G.S. 15A-1343, G.S. 15A-1368.4, and G.S. 15A-1374]	30.00 per month
Worthless Check Program Fee [G.S. 7A-308]	60.00

CIVIL, ESTATES AND SPECIAL PROCEEDING COSTS ON FOLLOWING PAGES

CIVIL, ESTATES AND SP COURT COSTS AND FEES
(Reflects Changes Enacted During the 2007 Legislative Session)

ALL CHANGES ARE NOTED IN RED TYPE. Effective date for all changes is August 1, 2007.

- The **IDA fee** has increased to \$3.00 in criminal and civil, but only increased to \$2.05 in Estates and Special Proceedings.
- Charges for copies of non HECON key holders are clarified to be assessed \$2.00 **for the first page of each document** copied by the clerk and \$.25 for each additional page.

Note: Effective July 1, 2008 Counties and municipalities can no longer postpone payment of costs and fees. They must pay costs and fees at the time of filing, not when recouped by the government entity. As is the current practice, court costs are **not** charged or assessed in juvenile cases.

CIVIL	AMOUNT
<u>MAGISTRATES [G.S. §7A-305] (except domestic violence cases¹)</u>	
• General Court of Justice (Includes the \$3.00 IDA fee)	63
• Facilities fee	12
• TOTAL	75
Plus \$15.00 service fee for each item of civil process served by the sheriff	
<u>MAGISTRATES SPECIAL FEES [G.S. §7A-309]</u>	
Performing Marriage Ceremony	20
Petition for Year's Allowance	8
Taking a deposition	10
Proof of execution or acknowledgment of instrument	2
Performing any statutory function, not incident to a civil or criminal action	2
<u>DISTRICT COURT [G.S. §7A-305] (except cases ¹under Chapter 50B or 50C)</u>	
• General Court of Justice (Includes the \$3.00 IDA fee)	73
• Facilities fee	16
• TOTAL	89
Plus \$15.00 service fee for each item of civil process served by the sheriff	
Plus Filing for absolute divorce (paid to State Treasurer for Displaced Homemaker fund)	55
Civil District Court Costs are assessed on amendments to original actions filed under 50B unless such amendment also arises under 50B.²	

¹ No costs may be assessed for the filing, issuance, registration or service of a protective order or a petition for a protective order or witness subpoena under Chapter 50B (Domestic Violence) or 50C (civil no-contact). However, civil district court costs should be assessed for filing a petition for a workplace civil no-contact order filed pursuant to Article 23 of Chapter 95. *See also*, footnote 2.

SUPERIOR COURT [G.S. §7A-305]	
• General Court of Justice (Includes the \$2.05 IDA fee.)	93
• Facilities fee	16
• TOTAL	109
Plus \$15.00 service fee for each item of civil process served by the sheriff	
<i>Plus Business Court fee upon assignment</i>	200
MISCELLANEOUS FEES AND COMMISSIONS [G.S §7A-308, unless otherwise specified]	AMOUNT
Proceeding supplemental to execution	30
Confession of judgment	25
Taking a deposition	10
Execution	25
Notice of resumption of former name	10
Taking an acknowledgement or administering an oath, or both, with or without seal, each certificate (except that oaths of office shall be administered to public officials without charge)	2
Bond, taking justification or approving	10
Certificate, under seal	3
Exemplification of records	10
Recording or docketing (including indexing) any document	6 for first page; .25 for each additional page or fraction thereof
Preparation of copies ³	2 for first page of each document ; .25 for each additional page or fraction thereof
Preparation and docketing of transcript of judgment	10
Substitution of trustee in deed of trust	10
Execution of passport application	The amount allowed by federal law
Criminal record search (except if search is requested by an agency of the State or any of its political subdivisions or by an agency of the United States or by a petitioner in a proceeding under Article 2 of General Statutes Chapter 20)	15
Filing the affirmations, acknowledgments, agreements and resulting orders	6

² For example, if an amended complaint is filed in an existing 50B action, and the amendment adds claims for equitable distribution, divorce, or custody, the party filing the amendment is assessed the civil filing fee of \$73.00.

³ Pursuant to the new §7A-308(b1), **court appointed attorneys are exempt from the copying fees.**

entered into under the provisions of G.S. §§110-132 and 110-133	
Filing a motion to assert a right of access under G.S. §1-72.1	30
Motion for out of state attorney to appear in NC courts in a civil or criminal matter [G.S. §84-4.1]. \$200 to State Treasurer and \$25 to North Carolina State Bar	\$225
Family Court Supervision fee. [G.S. §7A-314.1]	30

SPECIAL PROCEEDINGS	AMOUNT
SPECIAL PROCEEDINGS (Except Foreclosures) [G.S. §7A-306] <ul style="list-style-type: none"> • General Court of Justice (Includes the \$2.05 IDA fee.) 	40 plus .30/100 FMV of land involved, max. - 200
<ul style="list-style-type: none"> • Facilities fee 	10
<ul style="list-style-type: none"> • TOTAL 	50 plus % FMV
Plus \$15.00 service fee for each item of civil process served by the sheriff	
FORECLOSURES [G.S. §7A-308] <ul style="list-style-type: none"> • General Court of Justice 	75, plus .45/\$100 of final sale price Min. - 10 Max. - 500
<ul style="list-style-type: none"> • Facilities fee 	None
<ul style="list-style-type: none"> • TOTAL 	75 plus % price
Plus \$15.00 service fee for each item of civil process served by the sheriff	

ESTATES	AMOUNT
<u>ESTATES [G.S. §7A-307]</u>	50 plus .40/100 of gross estate Min. – 15 Max. – 6,000
• General Court of Justice (includes the IDA fee, except in cases of probate without qualification)	
• Facilities fee	10
• TOTAL	60 plus % FMV
Note: The estate fees set forth here apply on the filing of the inventory, if not previously collected. Other fees apply on the filing of accountings.	
<u>PERSONAL PROPERTY RECEIVED BY A TRUST UNDER WILL, WHEN ESTATE PREVIOUSLY ADMINISTERED UNDER CHAPTER 28A [G.S. §7A-307(a)(2a)]</u>	
• General Court of Justice (Includes the \$2.05 IDA fee.)	50
• Annual and final accountings	20 per filing
• Facilities fee	10
<u>ADDITIONAL NEW PERSONAL PROPERTY ASSETS RECEIVED BY A TRUST UNDER WILL ON WHICH FEES WERE NOT ALREADY ASSESSED WHEN ESTATE PREVIOUSLY ADMINISTERED UNDER CHAPTER 28A [G.S. §7A-307(a)(2a)]</u>	.40/100 of gross value of assets Min. – 20 Max. - \$6,000
• TOTAL	60 plus annual filing fee or % FMV of additional assets
<u>PROBATE OF A WILL WITHOUT QUALIFICATION [G.S. §7A-307(a)(3)]</u>	
• General Court of Justice	20
• Facilities fee	10
• TOTAL	30
<u>COLLECTION BY AFFIDAVIT [G.S. §7A-307(b)]</u>	
• General Court of Justice (Includes the \$2.05 IDA fee.)	50 plus .40/100 of gross estate Min. – 15 Max. - 6,000
• Facilities fee	10
• TOTAL	60
<u>MISCELLANEOUS ESTATE FEES</u>	
Service fee for civil process served by the Sheriff [G.S. §7A-307(c)]	15
Taking a deposition [G.S. §7A-307(b1)]	10
Docketing and Indexing a will probated in another county in the State	
First page	6
Each additional page or fraction thereof [G.S. §7A-307(b1)]	.25
Hearing petition for year's allowance [G.S. §7A-307(b1)]	8